

VOLUME XIX

NUMBER 4

October 1924

CLASSICAL PHILOLOGY

A Quarterly Journal devoted to research
in the Languages, Literatures, History,
and Life of Classical Antiquity • •

THE UNIVERSITY OF CHICAGO PRESS
CHICAGO, ILLINOIS, U.S.A.

The Cambridge University Press, *London*; The Maruzen-Kabushiki-Kaisha, *Tokyo*,
Osaka, *Kyoto*, *Fukuoka*, *Sendai*; The Mission Book Company, *Shanghai*

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Classical Philology is published quarterly in the months of January, April, July, and October, by the University of Chicago at the University of Chicago Press, 5750 Ellis Avenue, Chicago, Illinois. The subscription price is \$4.00 per year; the price of single copies is \$1.00. Postage is prepaid by the publishers on all orders from the United States, Mexico, Cuba, Porto Rico, Panama Canal Zone, Republic of Panama, Dominican Republic, El Salvador, Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Nicaragua, Peru, Uruguay, Hawaiian Islands, Philippine Islands, Guam, Samoan Islands, Spain. Postage is charged extra as follows: For Canada, 16 cents on annual subscriptions (total \$4.16), on single copies, 4 cents (total \$1.04); for all other countries in the Postal Union, 25 cents on annual subscriptions (total \$4.25), on single copies, 6 cents (total \$1.06). Persons are requested to make all remittances payable to the University of Chicago Press in postal or express money orders or bank drafts.

The following are authorized to quote the prices indicated:

For the British Empire: THE CAMBRIDGE UNIVERSITY PRESS, Fetter Lane, London, E.C. 4, England. Yearly subscriptions, including postage, £1. 3s. 6d. each; single copies, including postage, 5s. 9d. each.

For Japan and Korea: THE MARZEN-KABUSHIKI-KAISEI, 11 to 16 Nihonbashi Tori Sancho, Tokyo, Japan. Yearly subscriptions, including postage, Yen 8.95; single copies, including postage, Yen 2.23.

For China: THE MISSION BOOK COMPANY, 13 North Szechuen Road, Shanghai. Yearly subscriptions, \$4.00; single copies, \$1.00, or their equivalents in Chinese money. Postage extra, on yearly subscriptions 25 cents, on single copies 6 cents.

Claims for missing numbers should be made within the month following the regular month of publication. The publishers expect to supply missing numbers free only when losses have been sustained in transit and when the reserve stock will permit.

Business correspondence should be addressed to The University of Chicago Press, Chicago, Ill.

Communications for the editors and manuscripts, which must be typewritten, should be addressed to the Editor of CLASSICAL PHILOLOGY, The University of Chicago, Chicago, Ill.

Entered as second-class matter July 5, 1906, at the post-office at Chicago, Illinois, under the Act of August 24, 1912.

Acceptance for mailing at special rate of postage provided for in Section 1103, Act of October 3, 1917, authorized on June 6, 1918.

PRINTED IN THE U.S.A.

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Classical Philology

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ASTERIS AND THE VOYAGE OF TELEMACHUS

By A. SHEWAN

In *JHS*, XXXIV, 227 ff., I examined the cases for and against Dörpfeld's Leukas-Ithaka theory, so far as it rests on the position of Asteris and the return voyage of Telemachus. I propose here to give a fuller statement on these points, with special reference to the arguments in Dr. Leaf's *Homer and History* and in two papers¹ by Mr. Frank Brewster. In addition to these there has been published, since I wrote as above, Mr. Allen's very full defense of the Homeric geography in his book *The Homeric Catalogue of the Ships*, with much detriment to Dr. Leaf's views of the geography and political conditions of Homeric Greece. Cauer also, in the third edition of his *Grundfragen* (I, 201 ff.), has an essay on the Leukas-Ithaka question, in which a few main points in the controversy are dealt with, but not very helpfully. And Belzner's *Land und Heimat des Odysseus* is a presentation of the view that the poet did not know the regions of the west, but relied for the information necessary for his epic on accounts from various sources. Homer has, he thinks, supplemented these from his own creative fancy, and errors in his descriptions can now be detected.

The view with which I associate myself is, on the contrary, that the imagination of the poet played little if any part in the matter, that his knowledge of the west of Greece is accurate, and that this can be shown in regard to both the voyage of Telemachus and the island of Asteris. The account of the voyage Dr. Leaf (pp. 350 ff.) finds

¹ *Harvard Studies*, XXXI, 125 ff., and XXXIII, 65 ff.

unintelligible, and Mr. Allen gives it up (p. 93) as "an ἐπεισόδιον in the construction of the poem," and "plainly Homer's invention." For the islet, Dr. Leaf (p. 352) says that in my paper in the *JHS* I "have to admit that Daskalio does not in a single feature suit the (Homeric) description of Asteris," but that is not a correct statement, as I found the following points of correspondence: (1) Daskalio is like Asteris ἐν πορθμῷ Ἰθάκης τε Σάμοιό τε; (2) it is, like Asteris, πετρήεσσα, οὐ μεγάλη; (3) it was suitable for the wooers' ambush; and (4) the identification agrees with the account of the return voyage of Telemachus from Pylos. The statement should rather have been that I found in Daskalio all the features of the Homeric Asteris, except that there are not at the present day λιμένες ἀμφίδυμοι on Daskalio, and that it has not what can in strictness be described as "windy heights," ἀκρίας ἡγεμοέσσας.

But before I take up the proper subject of this paper, I should like to say a word on a crux which is noticed in all the papers I have quoted above, the meaning of παννυπερτάτη in the description of Ἰθάκη in ι 25, παννυπερτάτη εἰν ἀλλ' κεῖται. It is, of course, a point of the first importance, and in regard to it it seems to me that Mr. Brewster's new explanation of the meaning¹ is perfectly satisfying. He holds, as others—Hayman, Engel, etc.—had done before him, that the description is from the point of view of a voyager along the trade route from Pylos, but he has strongly reinforced the position. In fact, I do not think anything more cogent has been written in this Leukas-Ithaka controversy. Here I only wish to urge one other point, in amplification of what I said in *Classical Philology*, XII, 136 f., that παννυπερτάτη, though a superlative in form, is not necessarily a superlative in meaning; in other words, that, instead of meaning "farthest west or northwest," it may mean "very far up toward the west or northwest." If the occurrences of the simple πᾶς in Homer be examined by means of Gehring's Index or Ebeling's *Lexicon*, numerous instances can be found where the meaning is not "every one" in the strictest sense, but only "many" or "much." A few examples are: τὴν πάντες μῶνοντο περικτίται, πάντα κύσεν περιφύς, πᾶν δ' εἴσω ἔδν ξίφος, βροτῶν δηλήμονα παντων. In the same way we may admit that in compounds such as πάμμελλας, πανάργυρος, the πᾶς refers to

¹ *HS*, XXXI, 154 ff.

the whole, but not, confining ourselves to Homer, in *πανάπαλος*, *παμποικίλος*, *πάννυχος*, *παντοῖος*, as an examination of their uses will show. Outside Homer the list could be greatly extended. And it is hardly necessary to add that a superlative is often used to describe something, not as surpassing all others in a particular quality, but only as very high in its class. That being so, there is certainly no a priori reason for accepting *παννπερτάτη* as superlative in meaning as well as in form. It is the case that the other superlatives in Homer compounded with *πᾶς*—I think they are only two, *πανύστατος* and *πάμπρωτος*—are superlatives in meaning. On the other hand, it is interesting to note that in one of the only two occurrences in Homer of the simple *ὑπέρτατος*, Ψ 451, it seems highly probable that it is not used as a superlative. Idomeneus at the games sat *ἐκτὸς ἀγῶνος ὑπέρτατος ἐν περιωπῇ*. As he was apart from the assemblage and specially placed, there seems not to be a comparison with other spectators. Translators differ. I see Mr. Blakeney's version is "outside the circle, high aloft on a place of vantage." This ground of objection to the passage in ι is thus quite uncertain. No one can say beyond question that *παννπερτάτη* means "farthest up." It may mean "very far up," and that description suits Thiaki perfectly.

Belzner (pp. 12 f.) labors to support the interpretation of the word as *alleroberst*, by reference to *ἐσχατιῇ* in ξ 104. He takes the latter as describing the uttermost part of Odysseus' dominions, a new suggestion, and one that must, as those dominions are not under reference in the passage, be regarded as quite unacceptable. No one has ever doubted that, as in the other occurrences, the word has there its usual meaning of a distant or extreme part of a certain locality. A single reference to its other uses is sufficient. See ω 149 f.: *καὶ τότε δὴ ῥ' Ὀδυσῆα κακὸς ποθεν ἤγαγε δαίμων ἀγροῦ ἐπ' ἐσχατιήν, ὅθι δώματα ναῖε συβώτης*. In ξ the swineherd is simply telling his guest that he and others are herding "here" in a "part remote from the town," and that is just what is said of the locality of his stading in ω.

But even granting that we are bound to interpret this description in an old epic poem *au pied de la lettre*, we are surely not justified in saying that the alleged discrepancy vitiates the Odyssean geography of the west of Greece so far as to prove that the poet did not know Thiaki. I refer again to what I said in *Classical Philology*, XII, 136 f.

I turn now to particulars of the description of the return of Telemachus. Dr. Leaf (p. 351) declines to accept as intelligible Athene's instruction to Telemachus, ο 33: *ἐκὰς νήσων ἀπέχειν εὐεργέα νῆα*. But his translation, "keep your ship far from¹ islands," involves absurdity.² The only alternative one is "the islands," and the question is which islands are meant. Now Athene has mentioned two—*Ἰθάκη* and *Σάμος*—and has said the wooers are in ambush between them. When, then, she goes on to warn him, only *four* lines farther on, to keep *ἐκὰς νήσων*, it is surely not unreasonable to infer that *Ἰθάκη* and *Σάμος* are meant. If anyone asserts that this is not so, it is for him to prove his alternative explanation. Now if by *Ἰθάκη* Homer means S. Maura, and by *Σάμος* Thiaki, what is the sense of telling him to keep away from S. Maura, to which he was bound? There is no such difficulty if by *Ἰθάκη* Thiaki is meant, for, as the route actually taken by Telemachus shows, he only kept away from Thiaki by going up toward *Οχία* in the first instance, and then cutting across to what the goddess in her instructions calls the *πρώτη ἀκτὴ Ἰθακῆς*, i.e., the southernmost part of Thiaki.

Mr. Brewster, while he holds with the Ithakists that *Ἰθάκη* is Thiaki, believes with the Leukadists that by Asteris is meant Arkoudi in the far north near S. Maura, and propounds the view that the regular way of return from Pylos to the northern end of Thiaki was by the sea to the east of that island. His reasons are given in *Harvard Studies*, XXXI, 136 ff., and are referred to as "some evidence" in *ibid.*, XXXIII, 66. I cannot agree. One reason is that the Thiaki channel is dangerous from squalls, but these Aegean squalls are really being overworked in this controversy. The sea to the east of Thiaki is also liable to squalls, according to Dr. Leaf (p. 153). So are many parts of the Mediterranean, the Euripos for example, but Dr. Leaf's argument (pp. 100 ff.) that squalls and tides prevented it from being a highway of traffic was examined, on the data furnished by the "Mediterranean Pilot,"³ and found to be futile. Mr. Brewster, I may add here, seems from his references to summer conditions to think the voyage was made in that season, but Professor Scott⁴ gives

¹ So Butcher and Lang, and Liddell and Scott. Better, I think, "away from." See Ebeling, s.v. *ἐκὰς*, referring to Nitzsch on γ 270. Note that the difference is important for present purposes.

² See *CR*, XXX, 82. ³ *Ibid.*, XXXI, 7 ff. ⁴ *Classical Philology*, XI, 148 ff.

good reasons for believing it was in autumn. Mr. Brewster also argues from the incident of the return of the ships to headquarters as told in π 341-70; he thinks the talk of the wooers implies that the ship had not been seen by them. All I say on that point here is, if they did not see it, why did they return home? Yet again, Mr. Brewster relies on the account of Mentès' visit in α, but he takes, on Dr. Leaf's authority, Taphos to be Corfu or in Corfu, and Temesa to be in Cyprus, while the indications are all against that view.¹ I cannot see any ground for the belief that as a general thing shipmen voyaging to the capital of Ithaka or beyond shaped a course east of Thiaki, and made their voyage from Pylos longer than was necessary. Telemachus lengthened his a little, but his case was, as the poet explains, an exceptional one. He had to avoid certain death in the Ithaka channel.

Dr. Leaf also (p. 351) finds difficulties in the expression in ο 299 (relating how Telemachus carried out his instructions), νήσοισιν ἐπεπρόεκε θοῆσιν. First, he finds the use of the verb in the sense "he set his course" unique. But unique uses are not uncommon in Homer, and are not to be too readily discarded. And the expression has caused no difficulty to other authorities, any more than the unique ἡ δὲ Φεῖς ἐπέβαλλεν in ο 297. Ebeling refers to Kühner-Gerth, § 373, on the use of transitive verbs in an intransitive sense, and the first examples quoted there from *Dichtergebrauch* are of our present verb ἴημι. The use of ἐπεπρόεκε is only seemingly intransitive; νῆα has to be supplied. Next, the "curious resemblance" of our expression to "the perfectly simple νηυσὶν ἐπιπρόεκε θοῆσιν of *Iliad* xvii. 708" has a sinister aspect. But there is nothing strange when one recalls the Homeric way with the phrase. An expression is often but an echo of, or in mere *Anklang* with, a form of words employed elsewhere. A few examples are Ἐκτόρεον δὲ Χιτῶνα and νεκταρέω δὲ Χιτῶνι, ἰδνωθεὶς δὲ πεσών and ἰδνωθεὶς ὀπίσω, and one not unlike the present instance, σὺν νηυσὶ νεώμεθα ποντοπόροις and ἐπὶ νηυσὶ συνώμεθα ποντοποροῖσι. These doubts have no foundation.

Dr. Leaf is in no better case with νήσοισι θοῆσιν, which he renders "the swift (or sharp) islands." He says "no one professes really to understand" the words. That is not so. Boisacq, Fick,² Bursian,³

¹ CR, XXX, 82 f. ² Personennamen, p. 420. ³ Geogr. von Griechenland, I, 119 n.

Schlichthorst,¹ and Bechtel² understand the reference to the Pointed Isles, the Νῆσοι 'Οξέλαι of later times. There is no lack of authority.³ ἐθόωσα in ι 327 = "I made sharp" is quoted as good evidence that θόος could mean "sharp" as well as "swift," two uses which are borne by the former word in English, and, as Dr. Leaf says (p. 150 n., of *Χθαμαλή*): "There is no reason why both senses should not occur in the same work." I can add the authority of Fick, in his *Odyssey* (p. 94), on the line, η 34, νηυσὶ θοῇσιν τοῖ γε πεποιθότες ὠκείησι. He observes that the two epithets show that θόος used of a ship means not "swift" but "pointed" (*spitz*), and so we get rid of the old complaint that the poet speaks of ships drawn up on land as "swift." Further, in a case like ἐν δέ οἱ ἤπαρ' ἔπηξε θοὸν βέλος, χ 83, is not "sharp" the better, or at least the likelier, rendering? Cf. Eustathius 24 on A 12, θοαὶ δὲ νῆες ἡ ταχεῖαι ἦ, ὥς περ θοὸν βέλος τὸ ὀξύ, οὕτω θοαὶ καὶ αὐταί, and 1392, on α 71. Even νύξ θοή, the exact meaning of which has been debated, may, he says, be equivalent to νύξ ὀξεῖα. And lastly we may point to the significance of the later name Ἐχίνοι,⁴ according to Stephanus διὰ τὸ τραχὺ καὶ ὀξύ, παρὰ τὸν ἐχίνον, not to mention the modern name Oxia. I note that Belzner (p. 27 n.) adopts the extraordinary rendering, "the quick passing islands," on which see *JHS ut supra*. Bérard's identification of the νῆσοι θοαὶ with the Montague rocks has not found favor, except, I think, with Dörpfeld. But a ship making for the open sea to the west of Cefalonia, which is Dörpfeld's view of Telemachus' voyage, could have no need to go near these rocks. She had only, after leaving Pheae, to cut across to Zakynthos and coast along it.⁵

Athene, when instructing Telemachus as to his return voyage, refers to his arrival in Ithaka in these words (ο 36), αὐτὰρ ἐπὴν πρῶτην ἀκτὴν Ἰθάκης ἀφίκηται, and the meaning is hardly disputed. πρῶτος is used here, as often, in a sense that recalls its derivation. In many of its uses in Homer it describes, in consonance with its origin as a superlative (πρῶτος) from πρό, a thing situated at the extreme part,

¹ *Geogr. Homer.*, p. 89, quoting Strabo and Pliny.

² *Lexilogus*.

³ See *JHS*, XXXIV, 228 ff.

⁴ "As transferred to these islands, it most aptly denotes their pointed or prickly outline."—Mure, *Tour in Greece*, I, 105.

⁵ See also *JHS*, as already quoted.

end or beginning, of some area or surface. Dr. Leaf on Θ 83, 411, Ξ 75, and Ο 653, and Merry (school edition) on τ 572, may be referred to, but many others might be quoted. To a speaker or spectator looking at the near edge or row in such a case, it is *πρόατον* or "farthest forward" toward him. Just so here, *πρώτος* means the part of Ithaka stretching farthest forward to Athene speaking in the Peloponnesus, that is, the southern point of the island.

The course taken is thus clear. The object is to avoid the wooers, who are cruising in the Ithaka channel, which is the direct way home. So Telemachus is to make a detour, *περιοδεῦσαι πλοῦν καὶ μὴ κατ' εὐθὺ πλέεσαι*, as Eustathius puts it (1773), on ο 33. Hence the instruction to keep *ἐκὰς νήσων*, which is further explained by the poet when he says the ship made for the Pointed Isles. So that all that is not described is the run across from these islands to the *πρώτη ἀκτὴ*, or southern extremity of Thiaki.

Now much has been made of the fact that there is this omission, but most unreasonably. In the first place, it is surely one that readers or hearers would readily supply. When they knew the point in Thiaki that the ship was making for, and that she was going there via the Pointed Isles, there was very little left to tell them. And in this connection it may be noted how the Pointed Isles, that is, the Echinades nearest the Peloponnesus, and the first that Telemachus would reach, are guides to the southern shores of Thiaki—first, Oxia, rising to a height of 1,380 feet; then, Makri, 417; and finally Vromona, 472.¹ These islands would be useful even in a voyage by night, as in the present case, in a sea in which, so far as we can judge from the *Odyssey*, navigation was quite a usual thing.

But further, the omission is quite *in the Homeric way*. At ο 299 a course is set by Telemachus for the Pointed Isles, and the poet leaves him (and readers of the story) wondering *ἢ κεν θάνατον φύγοι ἢ κεν ἀλώη*, turns to the swineherd's hut, and describes what was passing there that same night. At ο 495 he returns to Telemachus, who has meantime reached the *πρώτη ἀκτὴ Ἰθακῆς*. Now, far from there being anything to be surprised at in this style of *Behandlung gleichzeitiger Ereignisse*, it is, as Zielinski has shown in his treatise

¹ See, for instance, Murray, "Handy Classical Maps," *Graecia*. Mr. Brewster's sketch, opposite p. 128 of *Harvard Studies*, XXXIII, does not give so clear an idea.

with that title, a regular procedure in Homer. A familiar instance is in the sixth *Iliad*. At line 116 Hector leaves the battlefield for the city, and at line 237 is there. The interval is filled in for the poet's hearers by the meeting of Glaukos and Diomedes, and there is not a word about Hector's journey. Similarly, the poet leaves Telemachus nearing the Pointed Isles on a journey which is to end at the *πρώτη ἀκτὴ Ἰθάκης*, and we find him there at the end of a night which the poet fills in with something else. It is the poet's way, and cavil is useless. He must be allowed to describe a journey in his own way. Sometimes he gives detail. At others he does not; the traveler simply departs and arrives. So it was with Telemachus' journey to Pylos. The return was different. An ambush had been set, and plans had to be altered, but everything essential is told, and the whole account is intelligible and consistent, and not open to the objections which have been made to it.

So much for the voyage. I now turn to Homer's Asteris. It is said to lie *ἐν πορθμῷ* (or *μεσσηγύς*) *Ἰθάκης τε Σάμου τε παιπαλοέσσης*, δ 671, 845, and ο 29, and the prime fact in Athene's instructions to Telemachus is that an ambush has been laid for him there, which she tells him how to avoid. A question arises as to the meaning of the words *ἐν πορθμῷ*. Formerly no one doubted that they meant "in the strait," *πορθμός* being taken in the sense given it by the old lexicographers of *στενὸν τῆς θαλάσσης*, or (Eustathius 1513 on δ 671) *στενὴ θάλασσα μεταξὺ δύο γειῶν*. But with the subversion of old interpretations of passages in the *Odyssey* which was caused by Dörpfeld's theory, and the discovery of Arkoudi between Thiaki and S. Maura, came the contention that the *Meerenge* in which it is situated is as good a *πορθμός* as the channel between Thiaki and Cefalonia which contains Daskalio. But when that argument seemed unlikely to prevail, the Leukadists fell back on the connection of *πορθμός* with *πόρος*, and gave the word the signification of "water way," *Wasserweg* or *Bahn des Meeres*.¹ I would not say more now, were it not that Mr. Brewster goes a step farther in *Harvard Studies*, XXXIII, 69 ff. He believes that the Homeric Asteris is Arkoudi, and to substantiate the identification seeks to prove that the proper rendering of *πορθμός* is "trade-route." To establish this he gives quotations from classical

¹ See *JHS*, XXXIV, 231 f.

authors, and has supplied me with others. Now it may be admitted that in some of these passages the bit of sea referred to is certainly not a strait, though in others it is certainly is. But, granting that in every case the locality is on a trade-route—indeed, one must grant it, for that can be said of almost every part of the Mediterranean—it does not follow that the writers, when they used the word *πορθμός*, had the trade-route meaning in their minds. To Mr. Brewster this is quite intelligible, because trade-route was the original sense of the word, and that sense became “limited in meaning with the progress of time.” But the reverse process is at least as common; a word comes to acquire new uses by modification and expansion of its original signification. *Penes philologos judicium*. I humbly think *πορθμός* came to be used, especially by poets, of any piece of water with well-defined limits. Further, Mr. Brewster argues from *πορθμῆς* in *v* 187 f., and from a similar passage (without the word) to which I referred him, *π* 227 f., of the Phaeacians. He thinks “common carriers” would be a better translation than “ferry-men.” I suppose that is a possible rendering, but here again it is equally good to argue that it was not a *route along which* the men plied their trade that was in the poet’s mind, but *the strip or sheet of water that had to be crossed*—in *π* that between Corfu and Italy, in *v* that between Thiaki and the mainland.

And I would add two things: First, if *πορθμός* meant to Homer a trade-route or something like it, it is surely very extraordinary, considering the number of voyages along trade-routes described in the *Odyssey*, that it occurs only in the single case of Asteris, in words designed not to describe a route but to locate the islet. We have *πλός*, *δός*, *ἔγρὰ κέλευθα*, and other expressions, but *πορθμός* never! Examples of such trade-routes are those from Crete to Egypt, from Corfu to Thiaki, from Sunium round Maleia and on to the north, and the two courses across the Aegean mentioned in *γ* 169 ff. It seems to me that it is impossible to conceive Homer describing any one of these as a *πορθμός*. Second, my own strong feeling, on what I know of the Homeric way, is that, if Homer had meant us to understand that Asteris was on a trade-route, he would have expressed it in other words, *κεῖται κατὰ πορθμόν* or the like, and would not have used *ἐν*. And I think he would have defined the trade-route by the *termini*, or

at least the *terminus ad quem*. But, of course, others may have a different "feeling," and I do not forget Andrew Lang's warning from Tennyson in another connection: "They are dangerous guides, the feelings." But, on the whole, I think there is no ground for the view that *πορθμός* meant in Homer "trade-route," and that the significance was afterward narrowed down so as to mean also "strait."

Again, Asteris is described as *πετρήεσσα* and *οὐ μεγάλη*. Now no one has ever denied that these two descriptions fit Daskalio perfectly. *πετρήεσσα* is, of course, from *πέτρα*, and means "rocky," and Daskalio is simply a mass of rock. Of Arkoudi, Goessler, Dörpfeld's great supporter, can only say¹ that it is *steinig* or "stony," which will not do. Paulatos (H ΠΑΤΡΙΣ ΤΟΤ ΟΔΥΣΣΕΩΣ, p. 117), describes it as *γαϊώδης*, and says it is the only one of the small islands that is in parts "capable of cultivation." Not one of them, he adds (p. 122), is so small and so rocky as Daskalio. How *οὐ μεγάλη*, which is even more expressive if, as some think, there is litotes, strikes even a strongly biased mind, is shown by a remark of Goessler's. In the *B.ph.W.* for 1912 (col. 355), reviewing a work by Croiset, he notes that the author's peculiar identification of Atoko as the Homeric Asteris is not acceptable, because Atoko cannot be called *οὐ μεγάλη*. Now a glance at the map will show that Arkoudi is about the same size as Atoko. Therefore the description cannot refer to Arkoudi. It may be added that it is 2 miles long and rises to a height of over 400 feet. Daskalio is a speck compared to it.

There is yet another objection to Arkoudi. What, of course, the wooers expected, knowing nothing of Athene's interposition, was that Telemachus would return to the capital whence he sailed, and this place is, to the Leukadists, Vlichos, at the foot of a small gulf on the east of S. Maura. But the goddess bids him land on the *πρώτῃ ἀκτῇ Ἰθάκης*, that is, *ex hypothesi*, the southern end of S. Maura, and Dörpfeld accordingly makes him land there. What, then, is the sense of Athene's warning? Far from showing him how to escape, she is really sending him into the jaws of death, for, as Dr. Leaf says (p. 152), Arkoudi is "right upon the course which must needs be taken by a vessel sailing from Pylos to Leukas," whether to its

¹ *Leukas-Ithaka*, p. 50.

southern end or eastern coast. What, we might further ask, is, on Dr. Leaf's explanation, the sense of her injunction to keep *ἐκὼς νήσων*, "clear of islands," as he renders the expression? If Arkoudi be Asteris, Telemachus has islands, islands all the way. Paulatos (p. 118), also asks—and this is fatal to Arkoudi—why the wooers should go 15 miles from the capital Vlichos to Arkoudi, when there is, much nearer home and close to the entrance of the Vlichos inlet, the island of Theleia, which has an *ἐξοχὸν ἀγκυροβόλιον* to which ships run for shelter in *κακοκαιρία*. They would be even more certain of their victim there, and at much less trouble to themselves.

Another objection of Dr. Leaf's to Daskalio is that it does not command the southern stretch of the channel between Thiaki and Cefalonia. But it certainly does as far as the narrative of the *Odyssey* requires. Dr. Leaf's view is new and peculiarly his own, and his little joke on page 353 about the mountains of Peloponnesus does not help matters. Certainly a boat coming up the west coast of Thiaki, whether rowed or under sail, could be seen several miles down the strait from the islet, which Dr. Leaf says rises to a height of 20 feet above sea-level, though the height is really not so great. Those who know from experience of sailors on shipboard, or on land with primitive hillmen, that they can see a far greater distance than the ordinary town-bred passenger on a liner, can have no difficulty in believing that the men of early Greece, with eyesight still unspoiled, could see a Homeric ship 2 or 3 miles away on the sea. And we have the testimony of Amphinomos, π 356 f., *ἣ εἶσιδον αὐτοὶ νῆα παρερχομένην*. He does not, it is true, say she *was* seen; it is enough that he knew she could have been seen. Mr. Brewster has no difficulty, and there can be none, in accepting the view that Daskalio was an excellent place at which to keep watch, so far as visibility is concerned. I could add the testimony of Vollgraff, Bérard, Paulatos, the Archduke Salvator—himself an experienced sailor—and others, but it is not needed. And it seems very probable that Daskalio was a favorite lurking-place for the pirates of Homeric days, for the channel in which it lies has always been a happy hunting-ground for the brigands of the sea. See the quotation in the note on Mr. Allen's page 93, and add Mr. Miller, *The Latins in the Levant*, page 8. The epithet *ραῦλοχοι*,

used in δ 846 of the λιμένες of Asteris, has perhaps more significance than some think. Cf. Eustathius 1519 on δ 844, ἡ παρὰ τὸ λόχον ἐν αἰς ἦν λοχῆσαι. διὸ ἐπήγαγε τό, τὸν γε μένον λοχῶντες Ἀχαιοί.

Mr. Brewster, however, argues¹ that the ship was not seen. This on the talk of the wooers in π 357-70. But, as I have already asked, why in that case did they return to port, and only a short time before Telemachus? The explanation seems to be that they did not catch sight of the ship from Daskalio till she was nearing home. They say that they had been cruising by night, and they would return to the islet in the morning, when Telemachus' ship was starting from the southern end of Thiaki, where Telemachus had landed. It is true they say watch was kept on shore by day, but after a whole night on the water a little laxity, or a little delay in setting the watch, is not to be wondered at. When they did see νῆα παρερχομένην, it was too late. It was then a race for the home haven between the two ships. I may be told there is no express evidence of neglect on the part of the wooers, but perhaps we may infer that there was when we find Antinoos laying the blame of their ill success on the gods, θεοὶ κακότητος ἔλυσαν, 364, and ἀπήγαγε οἴκαδε δαίμων, 370. It is a simple and a common resource.

To ancient hearers or readers the divine agency really explained all. They would not need to make close scrutiny of the narrative. Athene's protection of Telemachus throughout his trip is guaranteed most expressly. She is with him at first in bodily presence, but, if she departs, ρεῖα θεός γ' ἐθέλων καὶ τηλόθεν ἄνδρα σώωσαι, so she tells him, γ 231. See again δ 753 and 765, and 806, where the εἰδωλον promises Penelope that her son shall return, for the goddess πομπὸς ἄμ' ἔρχεται. Or see in ε 25-27 the declaration of Zeus himself; Athene is, acting ἐπισταμένως, to bring Telemachus home ἀσκήθης, and the wooers shall return from their ambush παλιμπετές, a word which, judging from its single recurrence in II 393, surely foreshadows the confusion in which their enterprise was to end. Or finally, we may refer to ν 421 ff.—Athene to Odysseus. For the actual fulfilment of the promise I need only refer to ο 27 ff. The wooers lie in wait for you, Athene tells her protégé, ἀλλὰ τὰ γ' οὐκ δίω ("I don't think") and πέμψει δέ τοι οὔρον ὅπισθεν ἀθανάτων ὅς τις σε φυλάσσει τε ρύεται

¹ *Harvard Studies*, XXXI, 143 f.

τε. What more is necessary? Hearers or readers knew from the first that Telemachus was to be brought safely home. But we can see how that came to pass without divine help.

The same applies to Mr. Brewster's argument from the prevailing winds on the data furnished by the *Mediterranean Pilot*, though he does not appear to draw conclusions with great confidence. My reply is that I am prepared, if he pleases, though Bérard will not agree, to assume that the winds would be unfavorable to Telemachus' return. In fact, the emphatic way in which Athene gives her promise of a favoring breeze in the passage quoted, and the equally clear statement of Telemachus to his mother on his return, ἔδοσαν δέ μοι οὐρον ἀθάνατοι, τοί μ' ὤκα φίλην ἐς πατρίδ' ἐπεμψαν, ρ 148 f., may almost be taken, if the *Pilot* be held as proving that conditions must have been unfavorable, to admit that they were, but that the goddess overcame them. θεοὶ δέ τε πάντα δύνανται, and Athene raises or stills a wind or changes it to another just as she pleases. I need only refer to her action on behalf of Odysseus in ε 383 ff., and again in 427. Possibly the *Pilot* is right, and Telemachus' journey against the wind would have been slow, but he was in luck, with a goddess helping him, and the voyage, as he himself says, was in consequence a quick one. Let us remember we are dealing with the story of an epic poet, not with the narrative of a historian careful of every detail of an expedition.

Mr. Brewster¹ objects to Daskalio that the wooers could have watched from the hill at the capital itself, Polis. "Concealment of their movements was no more easily possible from Daskalio than from the Bay of Polis," which seems a very questionable statement. "Their attack on Telemachus would occur in the same spot from whichever place they started. The story of the assembly in Book 2 shows that they had no fear of interference from the islanders." So it was absurd of them to leave comfortable quarters for inhospitable Daskalio.

How it can be argued that the wooers had no reason to fear the people I cannot understand. The evidence seems to me to be all the other way. Telemachus certainly had a following, οὔτε τί μοι πᾶς δῆμος ἀπεχθόμενος χαλεπαίνει, π 114. He can, in time of need,

¹ *Ibid.*, XXXIII, 86.

get the assistance of individuals who can be described as ἀνὰ δῆμον ἄριστοι, δ 666. We learn from ξ 376 f. that there were two factions, ἡμὲν οἳ ἀχυννῶνται δὴν οἰχομένοιο ἄνακτος, ἡδ' οἳ χαίρουσιν βίοντι νήπουνον ἔδοντες. In the book, β, referred to by Mr. Brewster, there were mutterings, as by Halitherses 167: ἀλλὰ πολὺ πρὶν φραζώμεσθ' ὥς κεν καταπαύσομεν. Antinoos in reply threatens him for inciting Telemachus, but is glad to change the subject to Penelope. In 239 ff. Mentor blames the people for sitting quiet, many against a few. In 325 ff. some of the wooers apprehend that Telemachus may bring assistance from outside and compass their destruction. They have made themselves such a pest that may even be poisoned off. And compare δ 667 ff. But listen to their leader, Antinoos himself, π 375, λαοὶ δ' οὐκέτι πάμπαν ἐφ' ἡμῖν ἦρα φέρουσι. He has, 381 f., the gravest fears, if the ambush become known, that they may be banished from the country. It is no wonder the ambush and murder were arranged at some distance from the capital.

Yet again, it is said in δ 846 f. that Asteris has λιμένες ἀμφίδουμοι. The Leukadists and Mr. Brewster¹ affirm that such are to be found in Arkoudi, but not in Daskalio. The latter part of the assertion will be dealt with later on; the former may be denied unhesitatingly. But first, what is meant in Homer by a λιμὴν? In many passages we have only the bare word, but in others there are indications. There is something like a definition in ε 404, λιμένες νηῶν ὄχοι, where the authorities translate the last word by "something that contains," "receptacles," *capaces navium*. And where a particular λιμὴν is described, as in ι 116, κ 87 ff., and ν 98, protection within certain surroundings is expressed or implied. The epithets are confirmatory—γλαφυρός, κοῖλος, ναύλοχος, εὐορμος, πάνορμος, and so are the prepositions ἐν and ἐντος. So is the expression λιμένες θαλάσσης, ε 418, where Odysseus, swimming along the coast, is looking for inlets protected by ἡϊόνες παραπλήγες. A good λιμὴν is so encircled that it has but a narrow entrance—ἀρετὴ δὲ λιμένος ἢ λεπτὴ εἰσίστημι (Eustath. 1562 on ζ 264).

Now consider the so-called λιμένες of Arkoudi. I refer to JHS, XXXIV, 233 f., and the evidence of Professor Manly, who examined the locality with Dörpfeld and rejected the suggested "havens."

¹ *Harvard Studies*, XXXI, 134 f.

Professor Manatt¹ accepted them, but only, I gather, like Dr. Leaf, on a view from a steamer. But we have two photographs, one in Seymour's *Life in the Homeric Age*, page 70, and another in Goessler's *Leukas-Ithaka*, page 48. These show two stretches of sand with a little, low promontory jutting out between them. If these are λιμένες, then almost any piece of beach is a λιμήν. Boats can be hauled up on them, as in hundreds of spots in the Aegean, but that is all. In one of the photographs a boat is shown on the jutting spit, but with a calm sea. A boat can lie on almost any shore in fine weather. It is amazing to find these bits of shore described by Seymour, Manatt, and Leaf as "harbours." Mr. Brewster says "there is no ocean swell possible," but that is hard to understand. A swell such as an Atlantic or Pacific Coast experience may be impossible, but there are 15 miles of open sea toward the east—strictly the east-southeast—which the Arkoudi shore faces. Paulatos² says the first πνοή of a southeast wind makes the approach of a vessel impossible, and that the waves dash over the neck of land. Belzner (p. 46) is surely right when he says, λιμένες ναύλοχοι, "schiffbergende Häfen sind diese Anlegeplätze nicht." Mr. Brewster further affirms on experience that "a breakwater awash at high tide will protect boats lying in its shelter," but surely not against waves dashing over in a storm? He also refers to Cumae and Monemvasia as places that had important trade, though they had hardly more than sandy beaches. But Smith's *Dict. Geog.* gives the former "two excellent ports," while the description of the facilities at the latter given in the same work, s.v. Epidauros Limera, and in Bursian³ do not seem to admit of any comparison between it and Arkoudi—regarding which island, it may be added, there is no suggestion that the "harbour" accommodation it offered was ever taken advantage of, while Daskalio has certainly been inhabited. In short, these patches of sand appear to be worlds away from the λιμένες of the *Odyssey*. A port and a mere beach on which vessels could be hauled up are very different things. We want real havens, such as ἀνέμων σκεπώσι δυσάων μέγα κύμα ἔκτοθεν, ν 99 f. It is no wonder that Dr. Leaf, in his final judgment

¹ *Aegean Days*, pp. 377 and 384.

² *Op. cit.*, pp. 117 f.

³ *Geogr. von Griechenland*, II, 138.

(p. 353), can do no more than damn these Arkoudi beaches with the faintest praise—"the twin harbours are *not imposing*, but *I think they will do*" (my italics). This seems to mean that in Leudakist interests it is most desirable that something better should be found.

Paulatos (p. 118) tells us there is an ἀληθὴς ἀμφίδυμος λιμὴν to be found close by on Kalamos, and Dörpfeld may yet transfer his affection to it. But the exact meaning of ἀμφίδυμος has been the subject of discussion, and the authorities differ. I will return to the point. For the present I only observe that all are agreed that two λιμένες are implied. Now, granting that the one on the right in the photographs of the Arkoudi shore can be described as a λιμὴν, the one on the left most certainly cannot. Protection such as a Homeric λιμὴν gives there is none. It is a straight line making with the jutting spit an angle so obtuse as to be hardly an angle at all. Arkoudi does *not* provide the required twin havens.

Another consideration is this, that Arkoudi may be the Krokyleia of B 633. Some have thought that Arkoudi and the island of Atoko southeast of it are the Κροκύλεια and Αἰγίλιψ τρηχεῖα of that passage in the *Catalogue*; others that these latter were the names of districts of the island of Ithaka. For the views held see the references in Ameis-Hentze's *Anhang*, and Ebeling, *s.v.* Κροκύλεια. Some modern map-makers, as Kiepert and Murray's editor, give Arkoudi and Atoko these ancient names with a note of interrogation. So also Gander in his map in *De Ulyssis Ithaca*. The language of the *Catalogue* does not help much, though the epithet τρηχεῖα may seem to some to give Αἰγίλιψ a separate standing of its own. Also, in the few cases in the *Catalogue* in which a tract or subordinate district is described, words are used to indicate this, as 575, Αἰγιαλὸν τ' ἀνὰ πάντα, 750, περὶ Δωδώνην, 757, περὶ Πηνειὸν καὶ Πήλιον. But we have evidence in a passage of Pliny quoted in part by Mr. Allen (p. 91). In a list of islands in the region now under reference Krokylea and Aegialia are mentioned. This may be taken as ground for believing Κροκύλεια and Αἰγίλιψ were islands. If, then, Arkoudi is Homer's Κροκύλεια, it is not his Asteris. But this will not appeal to those who believe that the *Catalogue* is late, that the region may have been affected by a "telescoping process," and that there may have been interchange of names.

Further, it struck me to consider whether the modern name may not have come from the old one. By a common metathesis Krokyleia might have become Ork-kyleia, which is not far from Arkoudi. The lengthening of a vowel sound when the popular taste plays tricks with the consonants is not, I believe, unknown to philologists. "Arkoudi" in modern Greek means, I am aware, "a bear." If the metathesis suggested above took place with a lengthening of the vowel, the conversion into Arkoudi might easily follow, as place-names connected with the bear are not uncommon. I am told that the historian¹ of Cephallenia considers that the name is Greek, "probably preserved from the most remote antiquity," and that it is a corruption of *Ἄρκτος*, quoting such names as *Ἄρκτου ἄκρα*, *Ἀρκτων νῆσος*, and *Ἀρκτων ὄρος*. But a leading philologist and authority on place-names in Athens, Professor Chatzidakis, to whom my bold suggestion was submitted, has replied that, in the absence of a form or forms intermediate between the ancient and modern names, it is quite unacceptable, so perhaps I should not have referred to it. On the point whether intermediate names are always preserved in such cases I have no knowledge.

I may notice here Mr. Brewster's suggestion that Arkoudi would be a station at which the Achaeans would keep "guard-ships" for the protection of their commerce. In that case it seems to me passing strange that the poet refers to what must have been an important and well-known post in the terms which he applies to his Asteris. Surely he would have honored it with a description less contemptuous than *νῆσος πετρήεσσα, οὐ μεγάλη*. Considering the prominence in the *Odyssey* of these western seas and the navigation in them, we might even have expected to find some reference to this naval post, but we must not, with some critics, complain if the epic does not contain everything we would like to see in it.

And we have positive evidence that Daskalio is Homer's Asteris. First, there is Strabo's statement, x. 2. 16 (Didot), *μεταξὺ δὲ τῆς Ἰθάκης καὶ τῆς Κεφαλληνίας ἡ Ἀστερία νησίον· Ἀστερίς δ' ὑπὸ τοῦ ποιητοῦ λέγεται. ἡ δὲ μὲν Σκήψιος μὴ μένειν τοιαύτην οἶαν φησὶν ὁ ποιητής,*

λιμένες δ' ἐν ναύλοχοι αὐτῇ ἀμφίδυμοι,

¹ A. Melianake, *Γεωγραφία πολιτικὴ νέα καὶ ἀρχαία τοῦ Νομοῦ Κεφαλληνίας*.

ὁ δὲ Ἀπολλόδωρος μένειν καὶ νῦν, καὶ πολίχνιον λέγει ἐν αὐτῇ Ἀλαλκομενάς, τὸ ἐπ' αὐτῷ τῷ ἰσθμῷ κείμενον.

So Strabo proves that there was in his day an islet with a name very like Asteris, lying between what were to him the islands now called Thiaki and Cefalonia, just where Daskalio is situated. And Mela ii. 7. 10, quoted by Mr. Allen (p. 91), gives Asteria in a list of islands in *Ionio*. Surely this is good evidence. Herkenrath¹ is right when he says: "auch Asteris kann angesichts der historischen Asterie nicht Erfindung sein." Even Cauer (I, 215), who with the Leukadists prefers Arkoudi, accepts the later name Asteria as fact—"Daskalio, das im späten Altertum Ἀστερία genannt war." Paulatos (122), explains the name: ἡ περιφέρεια τῆς νήσου σύγκειται ἐξ ἀσβεστολιθικῶν στρωμάτων . . . ἡ λευκότης δ' αὐτῶν εἶναι τοσοῦτον ἔντονος, ὥστε προσδίδουσι χαρακτηριστικὴν τινα χροιάν εἰς τὴν νήσον, ἥτις, μακρόθεν ὁρωμένη, δίκην ἀστέρος μαρμαίρει ἐν τῇ κυανῇ θαλάσσῃ, and Paulatos is speaking on personal knowledge. I may recall here that in B 735 a place Ἀστέριος is associated with λευκὰ κάρηνα,² and that Delos also was known as Asteria. But whether either or both these names of Apollo's famous islet was due to its whiteness I cannot say.

To the Leukadist, however, this evidence in favor of Daskalio is overwhelmed by the fact that it does not possess λιμένες ἀμφίδυμοι, and, indeed, cannot boast of a λιμήν at all. Here let us consider the word ἀμφίδυμος again. One view is that Homer's description means there were two havens, one on each side of something, and the use of the word in regard to Arkonnesos in the Propontis, quoted by Thomopoulos,³ seems to confirm this—ἐν δέ οἱ ἀκταὶ ἀμφίδυμοι—for the shores in that case lie on either side of a narrow isthmus which spreads into the sea and broadens as it spreads. Strabo's statement, quoted above, is really to the same effect. Note the words ἐπ' αὐτῷ τῷ ἰσθμῷ. Now no isthmus has been mentioned; we can only infer that it is implied in the words he has quoted from Homer, λιμένες ἀμφίδυμοι. Further, the reference to a πολίχνιον on the isthmus shows that the islet was inhabited in Apollodorus' day, as it has been since. There are ruins of buildings,⁴ of churches, or of a monastery appar-

¹ B.ph.W. (1910), p. 1270.

² Cf. Allen, pp. 123 f., quoting Strabo.

³ "Das homerische Ithaka," p. 17, from the *Argonautica*, I, 937.

⁴ JHS, XXXIV, 232 n.

ently, whence the name Daskalio (for *Διδασκαλεῖον*) and Mathetorio.¹ And if the islet was thus permanently occupied, surely there was harbor accommodation of some kind. We cannot suppose that Apollodorus invented the isthmus and the little town and its name. Is there any reason for disbelieving him? Has not Strabo's account the air of quoting him as correcting Skepsios with good reason? It is true Strabo says (i. 3. 18) that Asteria had not in his day even a good anchorage, but there were about 150 years between his day and that of Apollodorus.

The facts that there is no haven in Daskalio *now* and that there was none in Strabo's time are important only if it be certain that Daskalio is in size and circumference exactly what it was three thousand years ago. Now not only can that not be said, but there is even evidence that there has been considerable change. For one thing, the isthmus mentioned by Apollodorus has disappeared. Again, there is a very significant statement in the *Mediterranean Pilot*² that there is shallow water both to the north and south of Daskalio. That seems to indicate that the islet above water formerly extended farther in each direction than it does now. But on this point also we have good evidence from Paulatos. He affirms (122 f.), distinctly contradicting von Marées, that the rock is *ἡκιστα σκληρός, κατ' ἐξοχὴν διαβρωσέως ἐπιδεκτικός*, by no means hard and especially susceptible to erosion. The islet is, and no doubt always has been, used as a quarry by inhabitants of the neighboring islands. They take the stone for housebuilding; it was used in recent times for the construction of a breakwater, *τοῦ ἐξωτερικοῦ λιμενοβραχίονος*, for Vasiliki in S. Maura. On the north of the island Paulatos even finds the remains of a *λιμὴν*, and mentions that he was assured by trustworthy witnesses that, within living memory, the rock at this point has disappeared to the extent of 2 metres. If all this be fact, and Paulatos' statements based on information acquired on the spot are not to be doubted, not much importance can be attached to the argument that there is no sufficient haven on Daskalio *now*.

The Leukadist also relies on the absence in Daskalio of anything that can be described as *ἄκριες ἡνεμέεσσαι*, or "windy heights," as

¹ Nitzsch on δ 844 ff., quoting Dodwell.

² *Op. cit.*, III (4th ed.), 321.

the expression is rendered. In *JHS*, XXXIV, 235, I was inclined to agree with the solution of Bérard, who moved λιμένες and ἄκρῃς alike to the adjoining coast of Cefalonia. On further consideration I see no such necessity. There are, it is true, no hills or mountains on Daskalio, but in the only other passages in which ἄκρῃς occurs, ι 400, κ 281, and ξ 2, nothing of the sort seems to be meant. "Slopes," instead of "heights," would be a suitable rendering, and the application to such low rising ground as there is on Daskalio is not excluded. Once more I rely on the frequent usage of Homer, who does not always use a recurring expression with exactly the same meaning and force.¹

To sum up: The absence of the two features referred to above can be satisfactorily accounted for. But even granting, what can never be proved, that Daskalio never had the required havens and has not the slopes, is this enough to invalidate the whole story, so complete, consistent, and intelligible otherwise, and to send us to Arkoudi, which is impossible on every test that can be applied? The Homeric description does not suit it; it cannot show λιμένες ἀμφίδυμοι; the πορθμός in which it lies is, to say the least of it, much less of a strait than the Ithaka channel; Telemachus, making for the southern shore of S. Maura past Arkoudi, was courting destruction; there are probable grounds for believing it is Homer's Krokyleia and consequently not his Asteris; there was a convenient and suitable hiding-place for the wooers much nearer what Dörpfeld holds was their home; and last, but most important, positive evidence for Arkoudi there is absolutely none. Evidence that is incontestable or even satisfactorily cogent we can hardly expect to extract from a work which is only a story, and not a professedly historical or statistical account of the regions concerned. We must be content to weigh the evidence pro and con that can be gathered from the text of the poem, and these, I submit, are very greatly in favor of Daskalio.

ST. ANDREWS, SCOTLAND

¹ Cf. Belzner, pp. 42 ff.

LATIN EXERCISES FROM A GREEK SCHOOLROOM

BY CLIFFORD H. MOORE

It is a familiar fact that while the Romans were able to establish their language about as easily as their institutions among their subject peoples in the western and northern provinces of their Empire, they did not supplant the Greek tongue in the areas east of the Adriatic.¹ Indeed, the Romans seem to have made little effort to fix Latin as the official language in the East. When Aemilius Paulus in 167 B.C. announced to the assembly at Amphipolis the reorganization of Macedonia, he spoke first in Latin, it is true, but the proclamation was at once repeated in Greek by the praetor Cn. Octavius.² Latin may have been used earlier in 196 B.C. when the Roman herald proclaimed the freedom of Greece at the Isthmian games,³ as Budinszky thinks;⁴ yet we know that Flaminius spoke Greek,⁵ and the immediate outburst of enthusiasm that followed the proclamation makes it probable that that tongue was employed on this occasion. It is clear that the Romans ordinarily employed Greek in their communications with Greek-speaking peoples; and the division of the imperial chancellery into the sections *ab epistulis Graecis* and *ab epistulis Latinis* was probably only a natural development of republican practice. Although few Roman officials can have had the linguistic skill of Licinius Crassus, who employed five different

¹ For the most important literature dealing with the Roman attitude on this question of language, see Arthur Stein, *Untersuchungen zur Geschichte und Verwaltung Aegyptens unter römischer Herrschaft* (Stuttgart, 1915), p. 134¹. Stein does not include the valuable essay of Egger, "De l'étude de la langue latine chez les Grecs dans l'antiquité," first printed in 1855 and now to be found in Egger's *Mémoires d'histoire ancienne et de philologie*, pp. 259-76. We may also add to his titles W. I. Snellmann, *De interpretibus Romanorum, etc.*, Vols. I and II, Leipzig, 1914, 1919, where (I, vii ff.) an elaborate bibliography may be found.

² Livy xlv. 29. 3.

³ *Ibid.* xxxiii. 32. 5 ff.; Val. Max. iv. 8. 5; Plutarch *Titus* 12; Polyb. xviii. 46.

⁴ *Ausbreitung der lateinischen Sprache*, pp. 234 f. There is, however, no warrant in his authorities for this view.

⁵ Plutarch, *op. cit.*, 5.

Greek dialects when as governor he presided in the courts of the province of Asia,¹ Nero's governor of Achaëa, who spoke no Greek,² was obviously an uncultivated person and the exception, whose parallel we find in Festus, that governor of Syria in the fourth century who was the bane of Libanius.³ As a rule, most Roman officials from the first must have been able to understand the language of their Greek-speaking subjects; at any rate, they did not require or expect them to use Latin, for interpreters were always at hand.⁴

The Greeks in their turn rarely knew Latin. In spite of the presence in the eastern part of the Empire of many thousands of Italian traders and officials,⁵ the common tongue of the West was little used by the provincials. This was natural for, as has been shown many times in history, the local tongue, if it be highly developed and possess vitality, usually maintains itself against that of the invader. To this cause must be added the Greeks' pride in their past history, which was about all the comfort that they could have as subjects, and the natural Hellenic vanity. The Greeks knew that they were the teachers of Rome in things of the mind and the spirit; or if they had forgotten it for a moment, they could have relearned the fact from the Romans themselves.⁶ The result was that Latin was little spoken wherever the Greek tongue was established, whether in Greece proper, Asia Minor, Syria, or Egypt.⁷ It is mentioned as a striking fact that

¹ Quintilian *I.O.* xi. 2. 50; Val. Max. viii. 7. 6. Cf. Cicero *Ad fam.* xiii. 16. 4. The readiness of Crassus was in marked contrast to the reputed unwillingness of earlier Roman officials to employ Greek, believing as they did that the use of that tongue would be undignified for a Roman (Val. Max. ii. 2. 2; Lyd. *De mag.* iii. 68).

² Philostratus *Vita Apollon.* v. 36.

³ *Or.* i. 156 ff.

⁴ W. I. Snellmann, *op. cit.*

⁵ The 80,000 Roman citizens massacred in Asia Minor at the orders of King Mithradates in 81 B.C. give abundant proof of this point. Vell. ii. 18; Val. Max. ix. 2. *Ext.* 3; Appian *B. Mith.* 22 f. Although many of these were doubtless Campanians and Greeks from southern Italy, they probably spoke Latin.

⁶ Cf. Cicero *Arch.* 10; Horace *A.P.* 323 ff.; Pliny *Epist.* viii. 24; etc.

⁷ That an Alexandrian could acquire skill in Latin is superlatively proved by Claudian. The cases of Phaedrus and Ammianus are not quite parallel. Naturally no small number of those whose native tongue was Greek must have been able to employ Latin, but this fact does not vitiate the general truth stated above. The bilingual inscriptions rather support it. Plutarch's statement, *Plat. Quaest.* x. 3. *ὡς δοκεῖ μοι ὁ (λόγος) Ῥωμαίων, ὃ νῦν ὁμοῦ τι πάντες ἄνθρωποι χρῶνται*, must be regarded as a genial exaggeration, if the whole Empire be considered; and the passage in Augustin *C.D.* xix. 7, "at enim opera data est ut imperiosa civitas non solum iugum verum etiam linguam

Zenobia, queen of Palmyra, had such admiration for things Roman that she not only acquired some skill in the Latin tongue herself, but she actually had her sons speak Latin so constantly that they had difficulty in conversing in Greek.¹ This is told, however, of no other ruler.

Such being the general indifference of the Greeks toward the Western tongue, it is not surprising that we have little evidence of the study of Latin in Greek schools. Egypt, where the Ptolemies had established Greek as the official language, has yielded us only a few fragments of Latin papyri,² so that the scanty evidence that has come to light has all the greater interest. The fragments with which we are now concerned may all be reasonably regarded as belonging to the schoolroom.

Two of the fragments are Greek vocabularies or translations of Latin works, and both date from the fifth century. The first (*Oxyrh.*

suam domitis gentibus per pacem societatis imponeret, etc.," refers to the western part of the Empire.

The Greek translations from Latin works known to us are few. Even Virgil was seldom translated: Polybius, the skilled freedman of the emperor Claudius, made a paraphrase, probably of the *Aeneid* (Seneca *Cons. ad Polyb.* viii. 2; xi. 5); and the *Georgics* were rendered into Greek by a certain Arrian (*Suidas*, 'Ἀρριανὸς ἐκποιοῦς, κτλ.). To these we may add a Greek version of the fourth eclogue by an unknown hand, found in Constantine's oration, *Ad sanctorum coetum* 19 ff.; but this speech, according to Eusebius (*Vita Const.* iv. 32), Constantine composed in Latin and then had translated into Greek; the translation really belongs in the field of theology rather than literature. Sallust was turned into Greek by a sophist, Zenobius (*Suidas*, s.v. Ζηνοβίος σοφιστής). Eutropius was translated into Greek by Paeonius about 380 A.D. and again by Capito, apparently in the sixth century. In recent times we have gained two fragments of a translation from an unknown Latin author (*Pap. Rylands* 62), of which we have the close, for the subscription reads 'Ὁλόμπ[ιος] Ἰσ[ιδωριανός] [. . .] ἐρμήνευσα ἀπὸ 'Ρωμαϊκῶν. For a brief discussion of the situation in the third century and later, see Christ, *Gesch. d. griech. Litteratur*, II, 2⁶, 945 f. and the literature there referred to. The translations from the Latin included in the works of such writers as Polybius, Dionysius of Halicarnassus, Plutarch, Appian, the Church Fathers, etc., require no separate comment.

Dositheus, in the fourth century, provided his adaptation of the *ars grammatica* of Comminianus (*G.L.* vii. 376 ff.) with a Greek version for the benefit of those who wished to learn Latin. With this were later combined the bilingual *hermeneumata Pseudo-dositheana* (*C.G.L.* iii). See Goetz, *Pauli-W.*, s.v. "Dositheus 8." The bilingual *hermeneumata* contained in *C.G.L.* iii offer the closest parallels to the papyrus fragments to be considered below, but the dates of their original forms cannot be exactly determined.

¹ Trebell. Poll. *Trig. tyr.* 30, 20 f.

² A list of the Latin papyri found before 1918 is given by Schubart, *Papyruskunde*, p. 481. Nothing of importance for our present consideration has been published since. The interesting bilingual diptych of 198 A.D., published by Lindsay in the *Bodleian Quarterly Record*, II (1919), 258-62, is quite apart from our subject.

Pap. 1099) is a Latin-Greek vocabulary to the *Aeneid*, of which the end of the fourth and the beginning of the fifth book are given. I reproduce here only those parts in which both columns are preserved:

RECTO

IV	664	aspiciunt	θεωροῦσιν	
	661	auriat	αντλήσῃ	
	665	sparsasq'	καὶ ἐραντισμένας	
	664	conlapsam	ολισθησασαν	
	665	iit	πορευεται	5
	659	moriēmur	αποθάνωμεν	
	665	ab alta	πρὸς τὰ ὑψηλά	
	666	concússam	συντιναγίσαν	
	667	laméntis	κοπετοῖς	
		ululáto	ολολυγμῶι	10
	669	inmíssis	εἰσπεμφθέντων	
		ruat	πίσῃ	
	670	C[art]hā[go]	Καρχηδών	

.

VERSO

	689, 690	deficit cubitoq'	ατ[ω]νεί κς ἀγκωνει	
	690, 691	levávit toro	ἐκουφίσεν στρωμνῇ	
	691	revolúta est	ἐνεκυλίσθη	
	692	quaesívit	ἐξήτησεν	
		reperta	εὐρεθέντα	40
	694	diffícilis	δυσχερής	
		obitus	ἀπεδ[[ε]]ύσις	
	695	luctantem	ἀντιπαλέουσιν	
		nexaeq'	καὶ δεδεμέναι	
	695, 696	ártus mérita	μέλη ἀξία	45
	696	perfbít	ἀπόλλυτο	
	698	nóndum	οὐδωπώ	
		flávum	ξανθόν	
		Prosérpina	Περσεφό[ο]ν[η]	
	699	abstulerat	ἀφίλατο	50
		damnáverat	κατέκ[ρινε]	
	699. 701	Órco mille	Χαε[ι]	
	701	adverso	[εν]α[ντιω]	

The text, it will be seen, is not continuous, but excerpted; yet it is impossible to say on what principle, if any, the selections are made. The errors in both the Latin and the Greek are patent, and the order of Virgil's verses is strangely confused twice within thirty lines.¹ Yet, in spite of the blunders, it seems impossible to ascribe this production to a schoolboy, for, as the editors say, the work is on too large a scale and the hand is too practiced for a learner. We must then reluctantly ascribe this to a poorly trained and careless teacher who prepared this aid for his pupils or for private study.²

Certain details are worth noticing. The iota adscript appears twice in *ολολυγμῶι* (10) and *ενέδραι* (19); no breathings are written on the Greek, but accents appear sporadically on both Latin and Greek words. It should be said, however, that the editors believe that originally many more accents were written than can now be seen. Out of a total of thirty-nine Latin words eighteen now bear the accent—always the acute: *concússam* 8, *laméntis* 9, *ululáto* (sic) 10, *inmítssis* 11, *levávit* 37, *revolúta* 38, *quaeswít* 39, *diffícilis* 41, *ártus mérita* 45, *perbíbit* 46, *nóndum* 47, *flávm Proserpína* 49, *damndáverat* 51, *Órco* 52, *dévolat* 54, *séquat* (sic) 56.³ Once the mark of long quantity is found on *moriēmur* 6.

This Virgilian vocabulary is closely allied in nature with a fragment published earlier (*Pap. Rylands* 61), which gives us a continuous text of parts of Cicero's second oration against Catiline, §§ 14 and 15. I print here only the verso:

5 [converterit]	μ[ε]τεστρεψεν
[non ille a me]	οὐκ[]εκείνος νη[]εμου
[spoliatus]	γ[υμ]νωθεis
[armis audaciae]	ο[πλ]ων τολμας
5 [non] obstu[pe]factus	ο[υ] κ[α]ταπλαγεις
[ac] perterritus	κ[αι] επτοημενος
[m]ea diligentia	[εμ]η επιμελα
[n]on dē spē	[ουκ] απο ελπιδος
conatuque	[και] επιχειρηματος

¹ The mistranslation of *moriemur* (6) by *αποθάνωμεν* may be explained if not excused by Virgil's *moriatur* in the following verse.

² The translation of *obitus* (42) by *ἀπόδους* is interesting, for *ἀπόδους* in this sense is not found elsewhere so far as I know; but cf. Kaibel, *Epig.* 403.5 σωμ' ἀποδυσάμενος.

³ In an Egyptian papyrus fragment of a Latin catalogue of works of art at Rome, published by Nicole (*Un catalogue d'œuvres d'art conservées à Rome*, Genève, 1906), dating from the early third century, the marks of accent are frequent, e.g., . . . *idālem, artificiorum, Hérculem, migrationis*, etc. Once the accent is marked incorrectly, *eventum*.

10 depulsus	[απ]ωθηθεις
sed indemnatus	[αλ]λα κατακριθεις
innocens	[αν]α[ι]τιος
in exilium	[εις]ε[ξ]ορισμ[ον] ¹
iectus	[εκ]βληθεις
15 a consule	[υπο] του υπατου
vi-et m[in]is	[βια] και απειλαις
e[ss]e dicetur	[ειναι] λεχθησεται

The Greek translation is a word-for-word version, admirably designed to aid and comfort the learner in the same way that interlinears have aided generations of beginners in both ancient and modern times. But abhorrent as this specimen may be to the virtuous soul of the modern teacher, we must note that the texts, both Latin and Greek, are free from those blunders that mar the Oxyrhynchus fragment of Virgil. This work was obviously done by a more skilful and exact hand; and perhaps it was intended for students of maturer age, for no accents are written on either the Latin or the Greek, although marks of long quantity are found on [n]on *dē spē* 8.²

More interesting in its way than the fragments thus far discussed is the following, which contains *Aeneid* iv. 66-68, 99-102, published by the Italian Society some twelve years since (*P.S.I.*, 21):

VERSO

Aeneid iv. 66-68

quid delubra iuu[an]t ēst mōllis flāmma medūllas
interea et tacitū[m] vīvit sub pēctore vūlnus
uritur infelix Dido[] totāque v[aga]tur

RECTO

Ibid. 99-102

quin] pōtius pācem aetērnā pactōs[que] hymenaeos
exerce]mus hābes tōta quōt mēnte peltisti
ardet ama]ns Dīdo traxītque per ossa [furorem
communem h]ūc e[rgo] populū [p]a[ribus]que regamus

¹ This noun seems to be ἀπαξ λεγόμενον, although the verb ἐξορίξω is common in classic Greek.

² Analogous to the foregoing are the two interesting fragments of Virgil with Greek translations published by E. A. Lowe in the *Classical Review*, XXXVI (1922), 154 f. The *Laudian Acts*, with its Graeco-Latin vocabulary, mentioned by Lowe, is very similar, but was hardly intended for the schoolroom.

A fragment of Sallust's *Catiline* of the fourth century, published by the Italian Society (*P.S.I.*, p. 110), was likewise intended for those who were imperfectly acquainted with Latin, for it has a few interlinear Greek glosses, and the mark of long quantity still stand on the following words: *habēre* (bis), *subēgit*, *ex rē*, *militēs*.

The accents and the marks of long quantity show beyond question that we are here dealing with a schoolbook. Certain inconsistencies strike the eye at once: the long vowels are marked in *pactōs[que]* (99) and *tōta* (100) but other long vowels in open syllables are not so indicated. Possibly the writer would not place the mark of quantity and the accent on the same letter as he might have done in *vīvit* (67), *pācem* (99), and *Dīdo* (101), but why the long *o* in *tolāque* (68) was not indicated is not clear, unless indeed we are to believe that the marks of quantity were ordinarily limited to the open penult, which is quite possible. The mark of the long vowel in *ēst* (66) is especially interesting as showing that as late as the fifth century an attempt was still made to differentiate in pronunciation between the third singular present indicative active of *edo* and the corresponding form of *sum*.¹

Yet these few fragmentary verses may well raise some interesting questions touching the reading of Latin verse and the nature of the Latin accent. It will be at once noticed that the accentual marks throughout indicate the prose accent and not the metrical ictus, although here as usual prose accent and ictus largely coincide in the latter part of the lines. Does this mean that the prose accent was observed in reading verse, and that the ictus—whatever that may have been—was subordinate to the prose accent? Was the word accent one of pitch while the ictus was marked by a stress of the voice? We are at once back among the contests of a quarter-century ago, in which Bennett and Hendrickson valiantly demolished opposing theories—battles the echoes of which are still heard from time to time.² So far as the Latin accent is concerned, I am personally inclined to the view so ably set forth by Abbott in 1907,³ according to which the cultivated Romans under Greek influence substituted in their conscious speech an accent in which pitch predominated for their original one of dominant stress, while the common people retained the older practice. We need not think that this was due to any "propaganda"

¹ Cf. Donatus ad Ter. *And.* i. 1. 54: "Et producte legitur 'esset,' ut cibum capiat, et correpte ut alibi." Evidently the theory of the schools was unimpaired, whatever the pupils' practices may have been.

² *A.J.P.*, XIX, 361-83; XX, 198-210. Cf. Hale in *Classical Journal*, II, 101-10; Shorey, *ibid.*, pp. 219-24; and more recently Kent, *T.A.P.A.*, LI, 19-29.

³ *Classical Philology*, II, 444-60; cf. Kent, *T.A.P.A.*, LIII, 63-72.

carried on by any Greek or Roman;¹ Kent² by admirable and familiar illustrations has shown how the young well-to-do Roman would naturally acquire from his Greek teachers a Greek accent, which in the second and first centuries before our era was still one of pitch. Conservatism maintained the cultivated habit, in theory at least, until the close of the fourth century, when the cultivated speech gave way before that of the masses, so that Diomedes recognized an *intentio* as well as an *elatio vocis*. So Pompeius, about a century later, wrote: *ergo illa syllaba quae accentum habet plus sonat, quasi ipsa habet maiorem potestatem*.³

Now if it be true, as I think it is, that in cultivated practice the Latin accent was for some centuries one of pitch, and if ictus require some stress of voice, as I believe it does, or for that matter if it be merely "quantitative prominence of a syllable," as Bennett held in theory, we seem to have in the fragment before us the work of a conscientious schoolmaster, or his pupil, who in the fifth century still followed the cultivated tradition and endeavored to maintain the musical word accent beside the ictus. In support of this view we may adduce *quót* (100) and *húnc* (102), both bearing the acute accent in accord with the ancient doctrine for monosyllables with a short vowel, as set forth by Quintilian and many others.⁴ Yet one of these words stands in the thesis, the other in the arsis of the foot.

It may well be urged that as it takes more than even two swallows to make a summer, we should not be in haste to shout for joy over

¹ Such as McLemore seems to attribute to Cicero (*The Theory of the Latin Accent* [1917], p. 6).

² *T.A.P.A.* II, 20.

³ Keil *G.L.* i. 430. 29 f.; v. 128. 31 ff. So Servius says (*ibid.*, iv. 426. 16), "accentus in ea syllaba est quae plus sonat," and Cleodnius (*ibid.*, v. 31), "actus qui cursim profertur, ut árma, ecusso enim sono dicendum est"; all of which Abbott notes, *op. cit.*, p. 460.

⁴ Quintilian *I.O.* i. 5. 31, "ea vero quae sunt syllabae unius, erunt acuta aut flexa, ne sit aliqua vox sine acuta." Those who hold relentlessly to the belief that the Latin accent was *semper ubique* stress will naturally insist that this is mere theory on Quintilian's part, and cite the last part of his sentence to prove their contention; but I am inclined to believe that Quintilian knew what he was talking about when he discussed accent, as he appears to understand the other subjects that he handles. The late grammarians are open to more suspicion perhaps, but in matter of accent they certainly followed good authority. Their statements with regard to the accent of monosyllables may be found in the following places: *G.L.* i. 431. 15 ff.; iii. 521. 5 ff.; iv. 371. 8 ff.; iv. 426. 27 ff.; iv. 483. 8 ff.; iv. 524. 21 ff.; v. 32. 11 ff.; v. 128. 22 ff.; vi. 192. 24 ff.; vii. 329. 22 ff.; vii. 358. 6 ff.; vii. 378. 3 ff.; vii. 539. 20 ff.

two monosyllables with the acute accent and to declare that Abbott's theory is thereby proved. Naturally no such claim is here made. If Cicero and all the later writers who seem to speak of a pitch accent were really saying that something existed in their own language that was not there at all—a view I cannot take—then, of course, these two monosyllables would still be accented with the acute by a conscientious teacher or pupil; but if the Roman writers knew the facts of their own cultivated speech and meant what they seem to some of us to say, then our *quót* and *hínc* support the doctrine that Abbott persuasively set forth. Moreover, the conflict between word accent and verse ictus disappears, and we can understand how classical Latin poetry and verse written on classical models were read, even if many of us produce a poor performance when we try to read according to our beliefs. It is also significant that when in the fifth century colloquial Latin largely displaced the traditional cultivated language in literature, and according to our view stress became again in all speech the predominant characteristic of accent, verse was freely based on accent instead of quantity.¹ In any case, the Virgilian fragment under discussion is an interesting specimen from a Greek schoolroom of the fifth century.

That Virgil's works, especially the *Aeneid*, furnished materials for every kind of school exercise at the hands of ancient teachers and pupils is not surprising, considering the nature of that great epic and its place in schools. We have enough arguments, themata, paraphrases, centoni, etc., preserved to us to suggest the mass of what once existed. The metrical arguments in dekastichs that bear Ovid's name,² the hexastichs written by Sulpicius Apollinaris³ on the *Aeneid*, the tetrastichs *de Virgilio* ascribed to various men,⁴ and the anonymous tetrastichs in *cunctis libris Vergilii* and the arguments to the *Georgics*⁵ were all composed by hands more or less practiced; but all belong to the literature of the schools. Versifiers not without skill wrote the other extant summaries as well—monostichs, hemistichs, and the so-called *<summa Vergili>*, whatever may be our judgment of the poetic merit of such a verse as *doctiloqui carmen ructatum fonte Maronis!*⁶

¹ Cf. Kent, *op. cit.*, LI, 26 ff.

² *Ibid.* 177.

³ *Ibid.* 178. 551.

⁴ *P.L.M.* iv. 176.

⁵ *Ibid.* 137: cf. 183–85.

⁶ *P.L.M.* iv. 179–82.

The themata given in our anthologies,¹ on the other hand, are clearly the somewhat bombastic creations of pupils whose rhetorical ambition led them to expand their themes in the approved fashion of the schools.

Very different from these is that fragment of a school exercise also published by the Italian Society some ten years since.² The passage imitated is that in which Aeneas at Carthage views the wall-paintings depicting scenes from the fall of Troy:

1. f[o]edatosqu[e] gerit crines collumque per arva
latus a [
2. ascendit Pallas alia sub imagine templum:
Troades iratam donis precibusque rogantēs
3. diffudere comas resonabant pectora pugnīs:
haud tame[n] a]spexit miseras c[] q[iva]
4. nec sua ter tractus sub moenia defuit Hector,
victorisque fames auro qui vendidit ig[nem].
5. hic magis indoluit gemuitque potentius heros:
exuviae currus foedataque membra [sodalis]
6. [cer]nuntur supplexque pater, miserabile visu.
Martem cum Danais miscet ducto[ribus ipse],
7. armatusque niger Memnon agit agmina nigra.
iamque videbantur gaudentes Marte puellae:
8. d[ux]que furlens auro nudam succincta papillam
ardet adire viros conatur vincere sexum
9. imi]tantia lunam

This fragment was purchased in Cairo by Professor Pistelli, who also prepared it for publication. Each line on the papyrus contains two hexameters, divided by a large K' with points above and below the lower arm. The same sign may have stood at the end of the line as well, for traces of it appear in the papyrus after *sexum* in line 8.

We find here, in contrast to the themata known before the publication of this fragment, a metrical re-working of *Aeneid* i. 477-93, in which the writer endeavors to restate the substance of the original seventeen lines in the same number of verses of his own. Needless to say, he was not fully successful.

¹ The most important ones are found in *A.L.* 244, 255; *P.L.M.* iv. 187. 188. 190; cf. *ibid.* 117 and 548.

² *P.S.I.* 142.

In his opening verse his words descriptive of the sad fate of Troilus,

foedatosque gerit crines collumque per arva,

are hardly happy; *crines collumque gerere* is certainly not a felicitous phrase for Virgil's 477 f.,

huic cervixque comaeque trahuntur
per terram.

Again he displays a lack of understanding—or perhaps the boy was driven to inexactness by despair—when he wrote

ascendit Pallas alia sub imagine templum,

a verse which does not in any sense accord with the content of Virgil's line (479),

interea ad templum non aequae Palladis ibant
Iliades.

Virgil says nothing of Pallas going up to her temple; but he does bring out the fact that the goddess is unfavorable to the Trojans—an element which our youthful composer disregards. The unusual expression *alia sub imagine* must be intended to mean *parte alia*, as in *Aeneid* i. 474.¹ The quantity of the final syllable of *Pallās* we must perhaps overlook in view of Virgil's own *pulvis* in verse 478, only the boy was wholly wrong while the poet had good warrant for his usage.

Again in line 3 of the exercise *resonabant pectora pugnīs* is not a poetic equivalent for *et tunsae pectora palmis*, however pleased the schoolboy may have been by his success in repeating the alliteration.

In the verse,

victorisque fames auro qui vendidit ignem,

we have a somewhat happy, if inexact, reminiscence of Virgil's *auri sacra fames*;² but what shall we say of *ignem*? It appears to me that *ignīs* is here used for *pŷra* (πυρά), a word which, like the pure Latin *rŏgus*, was excluded by the meter.³

The next three verses are somewhat more happy, even if the composer did avail himself of the convenient moan, *miserabile visu*, to

¹ So Pistelli in his comment on this verse.

² *Aeneid* iii. 57.

³ Pistelli quotes the apt suggestion of Teresa Lodi, "il cadavere da imporre sul rogo."

close his line. The following expression, *Martem miscet*, apparently is not found in extant Latin literature, but it must seek its warrant in the Greek *Ἀρὴ μείζουσιν* of Sophocles *O.C.* 1046. Cf. Alcaeus fragment 31.¹

No doubt the youthful writer was proud of his conceit in

armatusque *niger* Memnon agit agmina *nigra*,

but this again is a poor equivalent for Virgil's

Eoasque acies et nigri Memnonis arma.

And Penthesilea is not so aptly described in

ardet adire viros conatur vincere sexum

as by the poet's

audetque viris concurrere virgo.

Finally, we must guess that the last line of the exercise gave a restatement of Virgil's

lunatis agmina peltis.²

However, it is ungracious thus to compare a schoolboy's attempts with the lines of his great model. We must rather be grateful that Egypt has preserved to us this relic from an ancient schoolroom.

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¹ So Pistelli *ad loc.*

² Pistelli's comment contains all that can be said here: "In quest'ultimo esametro era probabilmente il nome di *Penthesilea*; certo *imitantia lunam* erano dette le schiere di lei. La precisa frase virgiliana *lunatis agmina peltis* è già diventata in Stazio [v. 145] *lunatum ... agmen*; e di qui ad *agmina imitantia lunam* non c'è che un passo. Il verso dunque doveva essere *agmina Penthesilea agitante imitantia lunam* o qualcosa di simile."

ROMAN CENSUS STATISTICS FROM 225 TO 28 B.C.

BY TENNEY FRANK

It has been customary for historians to accept, though with a parenthetical warning, Beloch's interpretation¹ of the Roman census statistics. While we must continue to consider his work fundamental wherever he succeeded in explaining the basic sources, it is my belief that he frequently abandoned those sources without trying to comprehend them. I wish here to point out briefly that historians are not justified in altering the figures given by Livy for 209 and 194 B.C., in rejecting the authoritative statistics of the Sullan period, and in interpreting the figures of the Augustan census on a different system of reckoning from that applied to the republican census.

It will be remembered that the Roman authors constantly gave the numbers of *civium capita*. While this term has been variously explained, Beloch² seems to be correct when he concludes, from a comparison of the census of 234 B.C. and the army list of 225, that in the republic the census accounted for all male citizens over seventeen, including proletariat and freedmen, and also the male *civis sine suffragio* of the same age.

Now Livy gives the following statistics of *civium capita* for the half-century that covers the Second Punic War:

B. C.		
234	270,713	(Livy <i>Epit.</i> xx)
209	137,108	(Livy xxvii. 36)
204	214,000	(Livy xxix. 37)
194	143,704	(Livy xxxv. 9)
189	258,318	(Livy xxxviii. 36)
179	258,794	(Livy <i>Epit.</i> xli)

¹ Beloch, *Bevölkerung der Griechisch-Römischen Welt*, 1886; Beloch defends his method with slight changes in *Klio* (1903), pp. 471 ff. Eduard Meyer, *Bevölkerungswesen (Handwörterbuch der Staatsw.)*, II [1909], 906 ff.) follows Beloch, in the main. Nissen, *Ital. Landeskunde*, II, 99 ff., thinks that the old republican census contained only the *juniores* of property-holders, excluding the proletariat; that Marius introduced the propertyless; and that the Augustan list included all free adult males, widows, and property-owning orphans, but not other women and children. His arguments have been criticized by Beloch in *Klio* (1903), pp. 417 ff. For other views see Mommsen, *Staatsrecht*, II, 400 ff., III, 435 ff.; Heitland, *The Roman Republic, passim*; Ruggerio, *Diz. Epigr.*, s.v. "Censor."

² Beloch, *Bevölk.*, pp. 314-15; Dionysius ix. 36, cf. ix. 25.

Beloch is usually followed in adding a complete hundred thousand to the numbers given for 209 and 194, but these numbers seem to me reasonable as they stand. The decrease of 133,000 recorded in 209 is readily accounted for. The battles of the Trebia, Trasimene Lake, Cannae, and Spain had cost at least 60,000 legionaries. The defection of Capua and the nearby towns would account for a loss of 50,000, since Capua alone could once provide 34,000 soldiers for active service (Livy xxiii. 5). Finally, as may be inferred from Livy xxix. 37, it was not always customary to register the soldiers stationed in the provinces, and at this time¹ there were four legions in Spain, two in Sardinia, two in Sicily, besides a guard in Cisalpine Gaul. This accounts for from 40,000 to 50,000 legionaries. Had a complete census been taken in 209, the number would probably have been near 200,000. The losses in battle had doubtless been countered in some measure by the natural increase in population, but this increase could not have been rapid during those strenuous war-years. Sanitary conditions in the Roman camps were not conducive to longevity. I cannot see any reason for changing the number given by Livy.

Beloch, however, by way of justifying his emendation, cites Livy's comment on the number: "Minor aliquanto numerus quam qui ante bellum fuerat" (Livy xxvii. 36), assuming that *aliquanto* means "somewhat." But the word is here, as frequently elsewhere in Livy, used by way of sardonic comment,² as in fact the epitomator, who gives the same figure, saw, for he says explicitly: "Ex quo numero apparuit quantum hominum tot proeliorum adversa fortuna populo Romano abstulisset." We are, therefore, not dealing with a mediæval scribe's error. Livy's low number is deliberately given with full knowledge of its meaning. The reading 137,108 must, therefore, be retained for the year 209, but with the understanding that it probably did not include some eight or ten legions stationed outside of Italy.

The striking increase to 214,000 for the year 204 is adequately explained by Livy xxix. 37:

Per provincias dimiserunt censores ut civium Romanorum in exercitibus quantus ubique esset referretur numerus, and by the consideration that now

¹ Livy xxvii. 7 and 22.

² See Livy i. 13. 7, "*aliquanto numerus major hoc*," a sarcastic understatement, so also i. 51. 1, "*Tarquinius aliquanto quam videbatur aegrius ferens*"; i. 56. 2. The usage is, of course, well known and frequent even in Cicero.

when the war was being transferred to Africa stragglers and fugitives were doubtless returning to their homes.¹

Again I should retain Livy's number (143,704) for the year 194-3. Flamininus' army of four legions was still in Greece, and large forces were engaged in active warfare both in Cisalpine Gaul (Livy xxxv. 46) and in Spain (4 legions).² It is more logical to assume that the armies in foreign parts were not registered this time than to change Livy's text.

The census of 189 shows an increase of over 100,000 in five years. But in this year the Campanians (about 50,000) were again registered for the first time after their defection (Livy xxxviii. 36), and the sons of freedmen who had suffered from certain disqualifications were enrolled with full rights again (Plut. *Flam.* xviii). If, as in 204, the registration was extended to the armies in the provinces, the whole number is accounted for without resorting to emendations. Hence there is no reason for altering Livy's statistics for the years 209-8 B.C. and 194-3 B.C.

During the second century B.C. the census figures for Rome are given for almost every lustrum, but after the Gracchans the census was not always taken, and sometimes the statistics have been lost to us. Between 130 B.C. and 14 A.D., the third census of Augustus, we have the following figures:

Year	<i>Civium capita</i>	
130.....	318,823	Livy <i>Epit.</i> lix
125.....	394,736.....	Livy <i>Epit.</i> lx
115.....	394,336.....	Livy <i>Epit.</i> lxiii
85.....	463,000.....	Jerome lxi. 173. 4
69.....	900,000	Livy <i>Epit.</i> xcvi [Phlegon xci. 177. 3:910,000]
28.....	4,063,000.....	Augustus <i>Res Gest.</i> ii. 2
8.....	4,233,000.....	<i>Ibid.</i> 5
14 A.D.....	4,937,000.....	<i>Ibid.</i> 8

Beloch (p. 352) gives no credence to the figures of 85 B.C. because he thinks that after the Italians became citizens in 89 the number should have been far greater than that reported. On the other hand, the numbers reported by Augustus seem to him so very large that in

¹ Had the census of 209 been 237,000, as proposed by Beloch, how can one explain a decrease of 23,000 in five years after being told that the new census was taken with unusual care?

² On army service during the early second century see Park, *The Plebs in Cicero's Day*, p. 12.

his opinion (p. 374) they represent a new system of numbering, which includes all free citizens of both sexes.

These two questions will have to be treated together, but first we must see what would be a reasonable number in 85 B.C., when the citizenship had been promised to the whole of Italy as far as the river Po. Polybius (ii. 24) says that in 225, when a very terrifying Gallic invasion was threatening, Rome took a census throughout Italy of all citizens and allies who could bear arms. In the citizen census it is generally supposed that *seniores* between forty-six and sixty years were included, since these could be used for the defense contingent at Rome. The number, as we have seen, was 273,000. From the allies only *juniore*s (between seventeen and forty-six years) were enlisted, for these were to be used in active service, as Beloch and Meyer have seen. Furthermore, Beloch and Meyer point out that the *socii navales* of the south were probably not included as being exempted from active service on land. When, therefore, Polybius lists about 350,000 *socii* exclusive of Gauls, we must at least double the number by including the *socii navales*, the Bruttians, and the male citizens over forty-six years to get the free non-Roman population of Italy. We may conclude, therefore, that there were about three times as many non-citizens as citizens in Italy at the time of the Second Punic War. It is probable that this ratio remained fairly constant down to the Social War, since the slight extension of citizenship at the cost of the *socii* was about offset by the planting of new Latin colonies to which Rome made some contributions.

Unfortunately, we have no statistics for the year 90 and must in fact go back twenty-five years to find any. In 115 B.C. there were 394,000 citizens; we may certainly assume at least 400,000 just before the Social War, and, using the ratio employed above, three times that number, or about 1,200,000 *socii et Latini*, demanding citizenship throughout Italy. This would give the whole of Italy to the Rubicon a population in 90 B.C. of about 1,600,000 free males over seventeen years of age, or about 6,000,000¹ people of both sexes, that is, about 40 per cent of the present number; certainly a con-

¹ Dionysius ix. 25 considers that one ought to multiply the census list of *civium capita* by 3 to get a fair estimate of the rest of the population (designated as women, children, slaves, and metics). He makes the statement with reference to the year 474 B.C., but his method of reckoning is probably the customary one of his own day.

servative figure. Of course, the 1,600,000 free males over seventeen years here posited for the year 90 are by no means all the number throughout the Empire. Many Romans, Latins, and allies had for a century been migrating to the Po Valley, Narbonese Gaul, Spain, Africa, Greece, and Asia; in fact, Mithridates found 80,000 Italians to murder in the Asiatic province alone. The fact that the citizen census between 170 and 130 and again between 125 and 115 was quite stationary at a time of peace when the birth-rate was still normal and when large numbers of slaves were being emancipated proves that emigration was exceedingly vigorous. Had a scientific census of citizens, Latins, and Italian allies been taken in 90 all through the Empire, it is safe to say that the number of free males over seventeen years would have been at least 2,000,000.

Now in the year 90 there were about 400,000 citizens (free males over seventeen years) in Italy, and about three times as many Latins and allies in Italy eligible for citizenship, and the Social War was fought ostensibly to secure the franchise for this later group. Nevertheless, at the very next census, of 85 B.C. (the census of 89 was not completed), there is an increase of only about 70,000 and in the next census, fifteen years later, the number 900,000 is still very far from being adequate. How can we explain such statistics? Shall we reject them as scribal errors, or accept them as a valuable revelation of Rome's policy in keeping the new citizens from gaining a preponderating influence in Roman affairs, and of the lack of interest shown by the Italians in the franchise?

The allies had, to be sure, long asked for citizenship, but not primarily because they desired the privilege of voting. After they gained the privilege they paid very little attention to Roman elections and the legislation. The Roman nobility still continued to win the high offices, while the Roman mob still voted themselves corn-doles. There is no evidence of any broader territorial interest either in the laws passed or in the men elected to office. The Italians, in fact, would seldom take the trouble to ride 100 miles or more in order to vote, and they cared so little for the franchise that no one, so far as we know, even proposed that national ballot boxes might be provided in each community in some such way as Caesar's law provided that the national census be taken in the municipalities. The Italians

had desired citizenship in order to escape the arbitrary commands of Roman officers and magistrates, to secure a fairer incidence of military burdens and a more liberal share in military rewards, to insure a more favorable position in the Roman courts and the same rights of commerce and intermarriage throughout Italy that Roman citizens enjoyed. When he was a soldier or merchant the Italian wanted the privilege of saying: "Civis romanus sum."

Furthermore, the government had no longer a real need for a complete census registry. In the early decades of the second century B.C., while a direct tribute was still collected from the citizens, and while soldiers were conscripted and enrolled in the army according to property qualifications, a careful census had been a necessity. In those days a heavy penalty was imposed on citizens who failed to register. But after the citizen tribute was abandoned in 169, and after Marius set the fashion of enrolling volunteers in the army, the census was useful for little else than to classify voters in the centuriate assembly, and to make up the list of those who wished to be enrolled as *equites*. Since this fact was so well recognized that no enumeration was made between 69 and 28 B.C., it is probable that no serious or expensive efforts were made by any of the censors of the first century to make a complete registration.¹ In fact, Cicero remarks incidentally (*I Verr.* liv) in 69, while he had the Verrine case in court, that he expected many strangers in Rome that year because the census was being taken. Apparently registrars were not being sent to the remoter parts of Italy. He also remarks in *Pro Archia* xi that his client was not enrolled in 85 or in 69 because of his absence from Italy in those years. From these passages I think we may conclude that Caesar's careful provision in the Lex Julia Municipalis for an extensive census by municipal *quinquennales* was a new arrangement invented by the great dictator in 44 B.C., and that after the Social War the census had regularly been taken only in Rome, and had enrolled only those who chose to make the sacrifice of time and effort to go there to register.

But quite apart from the listlessness of the far-distant citizens and the lack of any incentive on the part of the government, we also have

¹ We are told by Velleius (ii. 7) that after the colonization of Carthage some censors by way of discouraging foreign colonization ordered citizens in the provinces to come to Rome for registration. Such pettiness could only have resulted in incomplete returns.

evidence that the older citizens of Rome, the poor as well as the nobles, were averse to a full enrolment of the Italian voters. The democrats, to be sure, under Sulpicius, Marius, and Cinna, adopted from time to time as a plank in their platform the full enfranchisement of the Italians. But such platforms are not always sincere. The democratic leaders were loud in their liberal professions only when they needed the outlying support in votes or in arms, but we know that the voting democracy of Rome had deserted both Gaius Gracchus and Livius Drusus when they proposed to extend the franchise. The nobles had only to remind them that they might risk their corn-doles and be crowded out of their standing room at the games to make them forget liberal promises. As for the senators, few had ever favored a wide extension of the citizenship. The nobles could with difficulty control the voters at Rome; they feared that the Italian vote might elevate municipal leaders to the magistracies and thus break their time-honored control of the government.

Let us now see by what wearisome process the Italians were finally enrolled after their revolt in 90 B.C. By the Lex Plautia-Papiria passed in 89, citizenship was to be given to those who enrolled with the praetors at Rome within sixty days. Probably a large number did so register, but their names were not transferred to the census lists as we learn from Cicero,¹ and the senate, afraid of the new voters, slyly assigned them to ten new wards,² which were to vote after the thirty-five old wards had cast their ballots. There was, of course, an outcry from the new citizens against this treatment, and Marius, who thought that the new voters might be effectively employed by the democratic party, exerted his political and military prestige in support of the Sulpician plebiscite, calling for a fairer distribution of the new citizens and also for a general distribution of the freedmen throughout the thirty-five wards. This plebiscite was passed in 88, but when Marius soon after had the army command transferred to himself Sulla marched on Rome and had both measures repealed.

After Sulla's departure to Asia, Cinna in 86 righted the wrong and the Senate, then largely under his influence, confirmed the law (*Livy Epit.* lxxx and lxxiv). Now for the first time, it seems, all Italians

¹ The authorities differ regarding the Senate's first distribution of the new voters. For a careful discussion see Heitland, *op. cit.*, II, 447.

² See Mommsen, *Ges. Schriften*, V, 262 ff.

whether or not they had registered in 89, were legally citizens, and, as our inscriptions show, the municipalities of Italy were assigned equably to the various thirty-five wards.¹ This law applied to the freedmen also (Livy *Epit.* lxxxiv), as did the Sulpician one, and it remained valid, for Sulla on his return from Asia gave a solemn promise not to revoke it (Livy *Epit.* lxxxvi).

Now, the census of 86-85 was taken while the democrats were in power, and was apparently arranged especially to permit of the enrolment of the new citizens in accordance with Cinna's recent plebiscite, since only three years had passed since the last census. Nevertheless, the number enrolled is so small that few of the new citizens seem to have accepted the opportunity. We are surprised to find that one of the censors of the year was Philippus, who had opposed Drusus in 91 and presently joined Sulla on the latter's return to Italy. He certainly was not a liberal. It would seem that the people preferred an aristocratic censorship despite their democratic program. As we have seen, there is no trace of an effective machinery for making the registration complete. And if the new citizens were left to their own whims in the matter, it is easy to see that most of them would absent themselves, for a war between Sulla and Cinna seemed inevitable, and enrolment at Rome would obviously subject them to the levy that seemed to be impending. The censorship was therefore a failure. We need not try to amend the figures. As they stand they are a comment on the political prejudices of the day.²

After 85 there was no census for fifteen years because Sulla suppressed the censorship. In this he probably followed the suggestion of the nobles, who preferred not to have their rights to senatorial dignities questioned by a magistrate elected by the people. But it is also likely that by abolishing the censorship Sulla intended that the new citizens who had so largely failed to enrol in 85 should be still left outside the pale of the centuriate assembly,³ for it is difficult to see how they were to vote in their respective "classes" if they had not registered their property. The real import of this omission from

¹ Lange, *Röm. Alt.*, III, 135, and Heitland, *op. cit.*, II, 466, seem to me correct, therefore, in assuming that the census was incomplete.

² Kiene, *Bundesgenossenkrieg*, p. 328, has already expressed this opinion.

³ See, for instance, Cicero *Ad Att.* i. 18. 8 (60 B.C.) regarding the registration of the property of Atticus, a knight; revision of the senate, Dio xl. 63; xxxvii. 46.

his constitution of an old republican office becomes apparent when we accept the census figures of 85 as they stand and notice that less than 10 per cent of the new citizens were actually on Rome's polling lists during the first twenty years that followed the Social War.

In the year 70 Pompey and Crassus became consuls and immediately restored the censorship as well as the tribunitian functions. The census was accordingly taken in 69. Now a large number of Italians, having felt the injustice of a long segregation, were willing to take the trouble to register. But, as we have seen from two incidental references in Cicero, the citizens were apparently compelled to make the journey to Rome if they wished to be enrolled. Hence, the 900,000 given by Livy's epitome is again far from being a complete list. Those who lived at or near Rome doubtless gave in their names. Of citizens who lived far away, we may assume that those who desired to register property that might qualify them as *equites* or as citizens of the upper "classes" in the assembly would take the journey.

After 69, though the censors took office fairly regularly, and sometimes purged the senate, let contracts, and recorded property lists of those whose rank depended upon such qualifications,¹ they did not again take a complete census during the republic. The powerful men at Rome preferred not to be overwhelmed by unknown voters, and even democratic leaders like Caesar chose to govern by means of the manageable urban crowd that frequented the Forum. Later, when Caesar became dictator and was sure of his power, he created the machinery for a scientific census in the Lex Julia Municipalis by ordaining that the *quinquinnales* of the municipalities should take the census in their cities when it was being done at Rome, and should send their records to Rome for incorporation in the national lists. But he did not himself live to use this machinery in making a complete census.

We come finally to Beloch's contention that the Augustan census must have included free women and children as well as men since it would otherwise be difficult to account for an increase from 900,000 to 4,043,000 in forty-one years. If we are correct in the conclusions reached above, the Augustan figure should not be compared with the incomplete census of 69, but rather with a probable 2,000,000 actual

¹ Dionysius ix. 36; supported by ix. 25.

and prospective citizens in 90 B.C. But before we institute the comparison we must say a word about the ancient definitions of census. Following Beloch, we have assumed that in 225 B.C. the term *civium capita* must refer to free males of seventeen years and over, since the census figure is so nearly the same as the registry of *juniore*s and *seniores* given by Polybius ii. 24. When in the *Res Gestae* ii. 2, Augustus uses the same term *civium capita* without modification, we ought to accept it as connoting what it had done during the republic unless it leads us to improbable conclusions. Dionysius,¹ who wrote during Augustus' reign, in speaking of the census of 472 B.C., says: "The citizens who registered themselves, their property, and their adult sons (τοὺς ἐν ἡβῇ παῖδας) were 103,000." The figure for that early date was doubtless legendary and need not be taken seriously, but the definition of those who were registered is presumably of his own day. The only other definition which we have is that of Caesar's Lex Julia Municipalis, which ordains (146-47) that the municipal censors shall record the citizens: "eorumque nomina, praenomina, patres aut patronos, tribus, cognomina et quot annos quisque eorum habet et rationem pecuniae ex formula census quae Romae . . . proposita erit." This is not very definite, but the mention of *tribus* implies males, and the mention of *patroni* shows that freedmen were included. Let us now see whether the assumption that the Augustan census was like the republican one leads to plausible conclusions.

We have seen that 2,000,000 might be considered a conservative estimate of Roman and Italian males of 17 years and over throughout the realm in the year 90 B.C. Between that date and Augustus' first census in 28 B.C. (sixty-two years) there were large and rapid accretions to the citizen body. In 89 B.C. the fertile region between the Rubicon and the Po was added, and in 49 Transpadene Gaul. According to Strabo,² the Po Valley was then a flourishing and thickly settled region that already had a number of important cities like Milan, Placentia, Cremona, Verona, Mantua, Modena, Parma, Brescia, and Padua, and the rich soil, though not arable to the extent that it is at present, was being intensively cultivated. Today this

¹ Strabo v. 4 ff. Padua alone then had over 500 citizens who possessed a knight's census (*ibid.* 7).

² See Kornemann's list of *coloniae* in Pauly-Wissowa.

region claims one-half of the Italian population of the mainland. The proportion was not as great then but the population was considerable.

Furthermore, the distribution of the freedmen into the thirty-five wards in the year 85 made for an increase in citizens. To be sure, descendants of freedmen after the first generation had counted as full citizens since 189, but now at one stroke the Palatine register was for the time being practically vacated. As members of respectable wards, the freedmen of a whole generation were now as good as other Romans, and they and their children were freed from social and economic restraints. Later, Caesar caused a new delivery since he sent great numbers of actual freedmen to colonies like Corinth, Sinope, and Urso. In this way a considerable increase from the emancipated slaves was added to the normal birth-rate.

Again the colonization of soldiers outside of Italy by Caesar, the Triumphs, and Augustus added large numbers to the citizen body because many of these soldiers had not been citizens when recruited in the provinces. It was at this time that such famous colonies¹ were founded as Corduba, Hispalis, Tarraco, Narbo, Arausio, Arlate, Lugdunum, Raurica, Salonae, Philippi, Corinth, Sinope, Heraclea, and Carthage. And finally it is to be remembered that Julius Caesar gave citizenship to large groups of Gauls and Greeks, and to whole cities like Gades and Utica. Taking such accretions together, it seems reasonable to assume the addition of 1,000,000 men of military age from the time that Cisalpine Gaul was enfranchised until the colonization after Actium was completed.

Now the Augustan census of 28 B.C. was thorough. The emperor had the advantage of Caesar's machinery of local censors in all the municipalities of Italy and the Caesarian colonies outside. For the rest he sent registrars throughout the provinces of the Empire, who enrolled every citizen wherever found. The complete list gives, as we have seen, 4,063,000. If he followed the time-honored system and enrolled in the list all *civium capita* (males of seventeen years and

¹ In his later article in *Klio* (1903), p. 490, Beloch admits somewhat higher numbers: "four to four and a half-million citizens in Italy, two to two and a half-million slaves, a half to a million peregrini and Latins," making a total of from 7,000,000 to 8,000,000 for the population of Italy. But he is here apparently speaking not of the first census of Augustus but of the last one of forty years later.

over), we should expect about 3,000,000 plus the annual increase of sixty-two years. An increase of about one-half of 1 per cent per year for sixty-two years gives the number that Augustus records. That this is a fair percentage is proved by the fact that during the forty years between 28 and 14 B.C. the natural increase was 874,000, which is somewhat over one-half of 1 per cent per year. The increase in population in modern Italy during the last sixty-two years has been more than twice as rapid.

I think, therefore, that the census statistics left us by the records are wholly reasonable, considering that those of 85 and 69 B.C. are incomplete because of the peculiar circumstance that retarded the enrolment of the new citizens. It is worth something not to be compelled to doubt the sources. But the chief value of this discussion is that it helps us give the natural interpretation to the census figures of Augustus. Beloch held that the 4,063,000 of the Augustan census of 28 B.C. includes all Roman citizens—men, women, and children—and he assigns about 3,250,000 of these to Italy (*Bevölk.*, p. 436).¹ To this number he adds about 2,000,000 slaves and some peregrini, making a total population of 5,500,000. Today the same region (excluding the islands) has about 35,000,000. This strange reckoning stands out in all its inconsistency when we read (*ibid.*, p. 507) that North Africa, Syria, and the province of Asia each had 6,000,000.

By interpreting the Augustan census figures in the same way as those of the republic we reach far different results. The 4,063,000 *civium capita* are, in fact, adult male citizens, of which we may safely assign 3,500,000 to Italy (including the Po Valley). To get the total population the only reasonable method is to multiply by 4, as does Dionysius (ix. 25). In his day the census was taken scientifically, the women and children were recorded on subsidiary lists, and the number of slaves appeared on the property list. Hence the total population was known. There is every reason to think that his method is based upon the Augustan registry, and that the total population of Italy was therefore about four times 3,500,000, or 14,000,000, that is, about 40 per cent of what it is today. To esti-

¹ While Nissen without justification assumes two different changes in the censorial system of the republic, his interpretation of the Augustan census is not far different from the one here presented. His total for the civil population of Italy is from 9,000,000 to 10,000,000 (*op. cit.*, p. 118).

mate the free population on the basis of the figures for males of seventeen years and over, the ratio of 100:35 seems to be normal. This gives a free population of 10,000,000, leaving 4,000,000 for slaves and foreigners.¹ These numbers seem reasonable in view of Italy's present peninsular population, and we have reached it by following the sources meticulously and abandoning all proposed emendations.

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¹ Beloch's estimate for slaves is based upon a guess that they were about half as many as the free population. In some large cities and among farm laborers they were numerous, at times outnumbering the free. But calculations based upon such uncertain considerations are useless. The method of Dionysius, which I have used, results in giving a ratio of slaves and foreigners:free::40:100. Most of these 4,000,000 were doubtless slaves, since there are very few traces of free immigrants in Italy. Where slave economy thrives there is no room for non-citizen free labor.

REFERENCES TO PLATO IN ARISTOTLE'S *RHETORIC*

BY W. RHYS ROBERTS

The most direct and personal of the references to Plato in the *Rhetoric* is a pleasant one. In Book ii. c. 23. 1398b. 29-31, we are told that

Aristippus said in reply to Plato who had spoken too dogmatically [*ἐπαγγελτικώτερον*, too professorially: after the manner of the Sophists], as Aristippus thought: "Well, anyhow, our comrade Socrates [*ὁ γε ἑταῖρος ἡμῶν*, our bosom-friend, the chum who sat at our feet] never spoke like that."

Here our pleasure comes from the saving clause which Aristotle slips in: *ὡς ᾤετο* ("as he—Aristippus—thought").

Plato's name occurs also in i. c. 15. 1376a. 10-12, *ὁ Πλάτων εἶπε πρὸς Ἀρχίβιον* [*ἀρτίβιον*, A'], *ὅτι ἐπιδέδωκεν ἐν τῇ πόλει τὸ ὁμολογεῖν πονηροῦς εἶναι* ("The reply Plato made to Archibias, 'It has become the regular custom in this country to admit that one is a scoundrel'"). The facts of the case are unknown, but it is easy enough to imagine a situation in which Plato the philosopher might be tempted to exclaim: "It has become quite fashionable in our town to cry *Peccavi*"; or, "The practice of confessing ourselves miserable sinners has increased, is increasing, and ought to be diminished."¹ There seems, therefore, to be no need to attribute the witticism to Plato the comic poet (who is mentioned nowhere else in Aristotle's writings), when Plato the philosopher, who is often in Aristotle's mouth and still oftener in his mind, would naturally and pre-eminently be classed by him among the *γνώριμοι* (1376a. 8). Πλάτων, without further specification, can perhaps safely be presumed to be the Plato who taught Aristotle. In passing, the general question may be asked whether, when Demosthenes, Sophocles, Euripides, or Plato is mentioned, we must always

¹ The turn given by Eubulus to Plato's sarcastic outburst may have been: "You talk, Chares—you corruptor of the people—of the progress made by Athens under your leadership. Yes, progress in utter Shamelessness!" The identical matter in dispute (*τοῖς περὶ τῶν αὐτῶν ἀμφισβητοῦσιν*) would be true rational progress, in Plato's time and in Chares' time. Proclus, in his note on Hesiod's *Works and Days* 197-200 (the flight from earth of *Αἰδῶς καὶ Νέμεσις*), says, with reference possibly to this same reply of Plato's: *καλῶς οὖν καὶ Πλάτων ἐρωτηθεὶς τί ποτε προσέγευε τοῖς κατ' αὐτὸν ἀνθρώποις, ἀπεκρίνατο, μὴ αἰσχύνεσθαι κακοῦς ὄντας* ("Our great gain today is that we glory in our shame")!

be thinking that somebody else of the same name is meant: Plato Comicus, or Demosthenes the General. Must we agree with H. G. Wells (in his *Outline of History*) that Aristotle "never mentions Demosthenes [the Orator] nor quotes him in the *Rhetoric*"? Aristotle would not be concerned with the perplexities of posterity; but, after all, he was writing some seventy years after the death of (say) the poet Euripides; and would he not, for the sake of his own contemporary hearers or readers, have added some descriptive detail to the name Euripides (which he uses without addition when the poet is meant), if it was some other Euripides who made the noteworthy reply to the Syracusans which is alluded to in *Rhetoric* 1384b. 16? The modern editorial solicitude for truth, which (in the case of the *Rhetoric*) began not with the Germans but with Piero Vettori long since, does credit to the scholar's conscience. Nevertheless, it has sometimes been carried so far that truth itself has suffered. A good general discussion (based on the best modern texts) of the ways in which Aristotle and other writers introduce personal names would be a useful piece of work and might make identification easier in doubtful cases.

The third and last occurrence of the name Plato is in iii. c. 4 1406b. 32, where the words τὸ ἐν τῇ πολιτείᾳ τῇ Πλάτωνος preface a number of well-known similes taken from the *Republic*. In iii. c. 7, the words τὰ ἐν τῷ Φαίδρῳ (without Plato's name) indicate certain dithyrambic utterances of Socrates in the *Phaedrus* (237A, 241E, 257A, etc.). These are the only two explicit references to Platonic writings. But the *Apology* seems to be meant in 1398a. 15-17 and 1419a. 8-12, and the *Menexenus* in 1367b. 8 and 1415b. 31. These two last passages would appear to offer a crucial test for "Fitzgerald's Canon," and it is disappointing to find that A^c (P 1741) gives Σωκράτης, without the article, in 1415b. 31 when it has given ὁ Σωκράτης in 1367b. 8. Cope (*Commentary*, I, 177) overlooks this awkward discrepancy, as do Bonitz in his *Index Aristotelicus* and Gomperz in his *Greek Thinkers*. In answer to an inquiry, I am informed by the librarian of the Bibliothèque Nationale that the reading δ γὰρ λέγει Σωκράτης ἐν τῷ ἐπιταφίῳ is undoubtedly correct. There is no article before Σωκράτης. Possibly δ has fallen out because of the immediately

following sigma or the preceding δ .¹ The whole question of the "Canon" has been well discussed by Professor W. D. Ross in the *Classical Review*.² To the list in his note 6 at least two references should be added: 1405b. 30 and 1407a. 5, in both of which passages A^c has the article. The whole question of the omission or insertion of the article with personal names is difficult, e.g., 1398b. 30-32 (Πλάτων τὸν Σωκράτην) and 1367a. 8, 9 (Σαπφώ τοῦ Ἀλκαίου). In none of the three places where the name Πλάτων occurs in the *Rhetoric* is it found with the article, although in a dependent genitive such as that given above from 1406b. 32 the *Rhetoric* usually (not always; cf. 1401b. 33) has the article. Here the long string of articles (τὸ τῇ τῇ) may have something to do with the omission; and, further, the original reading is far from certain, and may have been not τῇ Πλάτωνος but τοῦ Πλάτωνος.

To proceed to more general considerations and analogies: In the *Poetics*, Plato's views are obviously much in Aristotle's thoughts, though Plato's name does not occur at all in the portions that survive. In the *Nicomachean Ethics*, there is not only an intimate connection of thought, but an early, famous, and unmistakable reference to Platonic "friends." In the *Politics*, the references to Plato and the Platonic Socrates are frequent, explicit, and fundamental. The opening chapters of the *Rhetoric* do not give Plato's name, but I wish to suggest that they contain some verbal echoes of his *Gorgias* which are meant to be "vocal to the wise."

At the very beginning, ἡ ῥητορικὴ ἐστὶν ἀντίστροφος τῇ διαλεκτικῇ ("Rhetoric is the counterpart of Dialectic") looks like a direct reference to Socrates' annoying observation in the *Gorgias* (465D) that "rhetoric is the counterpart of high-class cookery [ἀντίστροφος ὀψοποιίας]."³ The occurrence of ἀντίστροφος in the two passages was noticed by some of the early editors of the *Rhetoric*, but it is not mentioned, in his commentary or his Introduction, by Cope, who says too little on the whole question of Aristotle's relation to Plato in this

¹ When δ and δ may have stood next to each other, the likelihood of loss is greater, e.g., δ Πλάτων 1376a. 10, $\delta\iota'$ δ Σωκράτης 1398a. 24, δ Δημοσθένης 1407a. 5.

² *Op. cit.*, XXXVI, 194-95.

³ Plato couples ἀντίστροφος with either the genitive or the dative; the former construction may be preferred here because another dative— $\epsilon\nu$ ψυχῇ—follows immediately.

treatise. The coincidence of language is not, I think, a mere accident. For one thing, it does not stand alone—a point not hitherto brought out. In the same passage of the *Gorgias*, rhetoric is called “a branch of flattery [κολακείας μόνιον, 466A].” In the second chapter (1356a. 30) of the *Rhetoric*, Jebb’s translation gives: “Rhetoric is a branch [μόριόν τι] or an image [ὁμοίωμα] of Dialectic, as we said at the beginning.” The reference in the concluding word is to ἀντίστροφος τῇ διαλεκτικῇ at the opening of the *Rhetoric*; and we may remark how much Cope, whose text Jebb follows, loses by ignoring the best manuscript (A^c) which gives, in the passage under discussion, not ὁμοίωμα (“image,” or “copy”) but ὁμοία (“like”)—a reading confirmed by 1359b. 11, where all the manuscripts have ὁμοία δ’ ἐστίν (ἡ ῥητορικὴ) τῇ διαλεκτικῇ. Cope is rightly perturbed by the thought of any precise correspondence between rhetoric and dialectic, such as ἀντίστροφος would naturally suggest. He does not see that Aristotle, with half-malicious, half-playful exaggeration, opens fire by saying: “Rhetoric is the exact equivalent [not of cookery, but] of dialectic”; and, having indulged in this characteristically captious pleasantry at Plato’s expense, a little later he openly corrects himself and says that it is a “branch of dialectic and resembles it [ὁμοία, not ὁμοίωμα].” The word μόνιον is too common, in Aristotle and elsewhere, to be regarded as in itself a clear verbal echo of anything in Plato. But ὑποδύεται (1356a. 27), found only three lines away from μόνιον τι τῆς διαλεκτικῆς, may confidently be compared with ὑποδύσα in the passage of the *Gorgias*; the more so that ἡ ῥητορικὴ is the subject in the former case and ἡ κολακευτική in the latter, while this metaphorical use of ὑποδύεσθαι is rare enough in Aristotle.

On the analogy of similar treatises, we should, as has already been indicated, expect Aristotle to hint—and the earlier the better—at his attitude toward the teaching of Plato in the subject under review. In the *Rhetoric* it is not easy to find a better hint than that seemingly given in the first chapter, which is written with special care and serves the purpose of a modern preface. Nor is Aristotle’s quotation of ἀντίστροφος (if we may regard it as a quotation) simply a bit of carping. We may read the sentence in this way:

Plato was wrong when, in the *Gorgias*, he caricatured rhetoric as mere cookery and flattery and gave it up as past redemption. But he was right

when, in the *Phaedrus*, he showed that it might be reconstructed on the basis of dialectic and psychology; and I lose no time in making it known, through six words of patent and arresting challenge, that I mean, in the treatise now opening, to follow the more helpful view sketched in the *Phaedrus* and to treat rhetoric as an art, and not as a palate-tickling knack [cf. *Rhetoric* 1354a. 6-11 with *Gorgias* 463B and 501A]. Let the *πειθούς δημιουργός* [*Gorgias* 453A, E] view be held by men like Gorgias: philosophers should be able to frame a better theory [*δύναμις περὶ ἕκαστον τοῦ θεωρῆσαι τὸ ἐνδεχόμενον πιθανόν*, *Rhetoric* 1355b. 25] of public speech.

It is of some interest to notice, in conclusion, that when, in the *Rhetoric* (i. c. 11. 1371b. 30) and the *Gorgias* (484E), Aristotle and Plato are illustrating a belief they held in common—that of an *ἔργον*, or proper function, as appertaining to each individual—they both have recourse to one and the same passage of Euripides. Aristotle attributes the lines to *ὁ ποιητής* (so A^c; the other manuscripts, *Εὐριπίδης*) and quotes them thus:

καπὶ τοῦτ' ἐπείγεται,
νέμων ἑκάστης ἡμέρας πλείστον μέρος,
ἵν' αὐτὸς αὐτοῦ τυγχάνει βέλτιστος ὢν.

In an earlier chapter of the same book (i. c. 7. 1364b. 21), some acceptance is assumed for *ὁ ἔλοιτ' ἂν ὁ βελτίων, ἢ ἀπλῶς ἢ ἡ βελτίων, οἷον τὸ ἀδικεῖσθαι μᾶλλον ἢ ἀδικεῖν*. τοῦτο γὰρ ὁ δικαιότερος ἂν ἔλοιτο. This is the principle which, against current opinion, Socrates recognizes as binding in the *Gorgias* 469c, *βουλοίμην μὲν ἂν ἔγωγε οὐδέτερα· εἰ δ' ἀναγκαῖον εἴη ἀδικεῖν ἢ ἀδικεῖσθαι, ἐλοίμην ἂν μᾶλλον ἀδικεῖσθαι ἢ ἀδικεῖν*. Isocrates, at the age of ninety-four, can reject this view as a senseless paradox and ascribe it to "some few of the pretenders to philosophy [*ὀλίγοι τινὲς τῶν προσποιουμένων εἶναι σοφῶν*, *Panath.*, § 117]," by whom Plato and his followers are no doubt meant, just as Aristotle may be meant in that curious passage, *Panath.* §§ 17-19.

CICERO *TUSCULAN DISPUTATIONS* i. 74

BY HERBERT C. NUTTING

Certain questions of text criticism in connection with Cicero's philosophical works are greatly complicated by the methods he used and the conditions under which he wrote. Many a passage seems in need of emendation, yet we are not quite sure that we are dealing with an actual corruption of the text.

In fairness it should perhaps be noted, by way of preface, that in ancient times the demands made upon a writer were somewhat different from those of the present day. Often an author spent endless pains upon the artistic perfection of his work; but truth for truth's sake, absolute accuracy, clear logic, and the avoidance of all inconsistency and obscurity, these were demands that did not weigh heavily upon the mind of the man who took pen in hand. Hence it sometimes happens that a modern scholar, who undertakes to reduce to a logical scheme some ancient treatise on philosophy or the like, finds that he is applying a test altogether unsuited to the work of a man who wrote as the spirit moved, and who took no time afterward to check up what he had written.

If Cicero required any excuse for sins under this head, he might well plead for indulgence in regard to his philosophical works, which were composed in such rapid succession, and from which he was called away so abruptly by public duties in the performance of which he met an untimely end.

One of his most serious faults of composition may be illustrated from the first book of the *Tusculan Disputations*. It is his aim in this book to make for happy living by dispelling the fear of death; to this end, the chief speaker undertakes to show that death is no evil, whether the soul is immortal or whether death means annihilation.

Instead, however, of confining himself to this simple and clear program, the speaker first incorporates a long, constructive argument in favor of the view that the soul is immortal; then, later in the book, when considering the bearing of the other alternative, he introduces

certain paragraphs in support of the view that the soul is annihilated at death. Not content with this, in arguing for annihilation he actually discredits and flouts one of the chief arguments previously introduced by him in proof of the soul's immortality (cf. i. 90 with i. 31 ff.).

From the modern point of view, such random and inconsistent treatment of a theme would be held a sufficient ground for rejecting any claim of the treatise to be regarded as a serious contribution to the subject under discussion. As for Cicero himself, it is a question how far he was conscious of these defects in his work, and to what extent such consciousness would have troubled him.

One gathers the impression that logic and consistency concerned him less than the problem of turning out something rhetorically attractive. Consider, for example, the time he must have spent on the preparation of translations from the Greek poets—and for the avowed reason: *ne quo ornamento in hoc genere disputationis careret Latina oratio* (ii. 26). And while in v. 32 he represents one of the hearers as raising a certain question as to consistency in the treatment of a given topic, the wording of the reply suggests that the query was entertained chiefly that the speaker might parade his adherence to the principles of the New Academy, the school to which Cicero himself professed allegiance.

Carelessness and inconsistency are frequently found even within the limits of a single sentence, and of course, in the construction of long, complicated periods, even a person who is writing slowly and carefully may easily fall into anacoluthon (cf. i. 30, i. 68 ff., and ii. 3); but the infelicities allowed to stand in the shorter sentences certainly are significant, e.g.:

i. 84: Mitto alios; etiamne nobis expedit? qui et domesticis et forensibus solaciis ornamentisque privati—certe, si ante occidissemus, morsnosa malis, non a bonis abstraxisset.

i. 56: Nam sanguinem, bilem, pituitam, ossa, . . . et totius corporis figuram videor posse dicere, unde concreta et quo modo facta sint; animum ipsum—si nihil esset in eo nisi id, ut per eum viveremus, tam natura putarem hominis vitam sustentari quam vitis, quam arboris.

In such ragged composition as this one can hardly fail to see a reflex of Cicero's state of mind at the time of writing. The trials and

disappointments of his later years bore heavily on a volatile and supersensitive disposition, that was so easily chilled by any adverse blast. In fact, he was plunged in the deepest gloom, and his writing in spots resembles somewhat the work of a person suffering from brain-fag. It is true that he tried to persuade himself that he was doing the state a service of the highest worth in working out a philosophical series; but the eager haste with which he turned aside from this task, as soon as the way again opened into the field of active politics, shows rather clearly what his real preference was. Meanwhile he kept doggedly at the self-imposed task.

All this complicates very much the matter of text criticism; for, in writing done under the circumstances described above, the mere fact that a word or phrase is awkward or inconsistent does not raise the same doubt of its genuineness as would be the case if the same conditions were found in a more careful composition. Hence the position of the critic is a difficult one, not inaptly described in words which Cicero himself uses in another connection:

i. 73: Itaque dubitans, circumspectans, haesitans, multa adversa reverens, tamquam in rate in mari immenso nostra vehitur ratio.

It happens, unfortunately, that evidence of interpolation in the text of the *Tusculan Disputations* is too patent to be lightly disregarded; and it frequently becomes a very nice question to determine whether a given infelicity is due to Cicero's carelessness and haste, or whether it results from the incorporation of a marginal comment: e.g.:

i. 101: Pari animo Lacedaemonii in Thermopylis occiderunt; in quos Simonides:

Dic, hospes, Spartae nos te hic vidisse iacentis,
Dum sanctis patriae legibus obsequimur.

[Quid ille dux Leonidas dicit? "Pergite animo forti, Lacedaemonii; hodie apud inferos fortasse cenabimus." Fuit haec gens fortis, dum Lycurgi leges vigeant]. E quibus unus, cum Perses hostis in conloquio dixisset gloriari: "Solem prae iaculorum multitudine et sagittarum non videbitis," "In umbra igitur," inquit, "pugnabimus."

The words here bracketed clearly interrupt the course of the thought; for beyond a doubt the phrase *E quibus unus* refers to the Spartans who fought at Thermopylae, and not to the nation generally. Moreover, the remark here credited to Leonidas is far less in point than

the incident related in the last sentence of the passage. Should we, therefore, recognize here the hand of an interpolator, or should we accept such clumsy composition as the work of Cicero himself? About the only argument that could be urged in defense of the bracketed words is that the style of introduction (*Quid ille dux Leonidas dicit?*) accords well with two other passages in the immediate context (*Quae est igitur eius oratio, qua, etc.*, i. 97; and *Qualis tandem Lacoena?* i. 102).

In the following passage the same difficulty is illustrated, but with an added complication:

i. 3: Annis fere DX post Romam conditam, Livius fabulam dedit C. Claudio, Caeci filio, M. Tuditano consulibus anno ante natum Ennium [qui fuit maior natu quam Plautus et Naevius].

It is clear that the closing words of this passage are at least out of place; for they cannot refer to Ennius. They state a fact that is true of Livius; and it is possible that they were placed properly by Cicero, and that afterward through an error, or errors, in copying they were shifted to their present position.

If it be objected that Cicero would not be likely to break his sentence awkwardly to introduce this needless information in regard to Livius, it might be asked in turn what we are to say of the italicized words in the following:

i. 92: Endymion vero, si fabulas audire volumus, ut nescio quando in Latmo obdormivit, *qui est mons Cariae*, nondum, opinor, est experrectus.

Yet it must be admitted that it would suit best with our sense of the fitness of things to reject the bracketed words above as being the work of some marginal scribbler that has later found a place at haphazard in the text.

More conclusive is a passage in which Cicero is enumerating the miseries that Pompey would have escaped, had he died before the civil war broke out:

i. 86: Non enim cum socero bellum gessisset, non inparatus arma sumpsisset, non domum reliquisset, non ex Italia fugisset, non exercitu amisso nudus in servorum ferrum et manus incidisset [non liberi defleti, non fortunae omnes a victoribus possiderentur].

As a matter of fact, the sons of Pompey outlived their father; hence an earlier demise would not have saved him any grief under this head.

Moreover, only one of the sons was dead at the time Cicero penned this passage. Consequently the words *non liberi defleti* could hardly have been written by him; and the acceptance of the variant *defleti* for *defleti* hardly improves matters. Here at length we seemed forced to recognize the work of a later hand. It is conceivable enough that some reader, interested in the catalogue of woes that followed the outbreak of the war, might add in the margin details not relevant to the purpose in hand, and that these later should be incorporated in the body of the text.

The passage which properly is the subject of this note reads as follows:

i. 74: Vetat enim dominans ille in nobis deus iniussu hinc nos suo demigrare; cum vero causam iustam deus ipse dederit, ut tunc Socrati, nunc Catoni, saepe multis, ne ille medius fidius vir sapiens laetus ex his tenebris in lucem illam excesserit, nec tamen illa vincula carceris ruperit [leges enim vetant], sed tamquam a magistratu aut ab aliqua potestate legitima, sic a deo evocatus atque emissus exierit.

It is generally agreed among commentators that the words here bracketed have to do with suicide; and since there clearly were no laws to prevent a Roman citizen from taking his own life, it is assumed that the reference is to the unwritten divine law implied at the outset of the passage. But this disposition of the matter involves very serious difficulties.

In the first place, in addition to the awkwardness of its introduction at this point, the phrase *leges enim vetant* is certainly too specific and definite for an echo of the opening words of the paragraph. Heine seems to have been sensible of this difficulty; for he seeks outside the limits of the present passage for support for the view that *leges enim vetant* has reference to the unwritten divine law. To quote him exactly:

Unter *leges* sind hier die νόμοι ἀγαφοί, das Naturgesetz, zu verstehen. In der gleichzeitig mit den Tusculanen geschriebenen Rede pro Scauro c. 4, führt Cic. ebenfalls die Ansichten des Socrates über den Tod an und fährt dann fort: *qui (Pythagoras et Plato) tamen ipsi mortem ita laudant, ut fugere vitam velent atque id contra foedus fieri dicant legemque naturae.*

In the second place, this interpretation of the bracketed words does not accord well with the sense of the passage as a whole. For obviously Cicero means to say that when, on the admonition of God,

the wise and good man puts an end to his own life, this act will find its analogy, not in the violence of a jail delivery, but in the dismissal of a prisoner by order of the court. If this is the correct interpretation, then the phrase *nec tamen illa vincula carceris ruperit* would mean: "Nor will he *therein* have broken through his prison bars," i.e., "Such action on his part will not constitute a breaking out of jail."

In other words, the phrase primarily does not assert that the good and wise man will not do a certain thing, but rather indicates the light in which his action is to be viewed, if he commits suicide under the conditions described. Hence (concludes the critical note in the Tischer-Sorof edition):

Da es sich also nicht um die Aussage dessen, was er thun wird, sondern um ein Urteil darüber handelt, wie dies anzufassen sei, kann auch nicht der Bestimmungsgrund für sein Handeln angegeben sein.

Partly on this second ground, in the critical note just cited, the words *leges enim vetant* are rejected as a marginal gloss appended carelessly by some reader, under the influence of the opening phrase of the paragraph. That the words are a gloss I am inclined to agree; but I raise the question whether they refer to suicide.

Why might they not be suggested by the words immediately preceding (*vincula carceris ruperit*), the commentator jotting down the pedantic note that breaking jail is against the law? It is distinctly in favor of this view that about a page earlier in the text (i. 71) there is an extended reference to the events immediately preceding the death of Socrates, including his refusal to accept Crito's help in escaping from prison. With the thought in mind of the reverence for law that prevented Socrates from accepting this chance to save his life, what more natural than that, as he reads of the wise and good man and reaches the words *nec tamen illa vincula carceris ruperit*, the marginal scribbler should add "for that's a breach of law (*leges enim vetant*)?"

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DICASTS IN THE EPHETIC COURTS

BY GERTRUDE SMITH

It is probable that in the period before the different kinds of homicide were distinguished the Areopagus tried all murder cases and that the institution of the courts of the ephetae at the Palladium, Delphinium, and in Phreatto belongs to the time when certain cases of homicide had come to be recognized as unpremeditated or justifiable. Men who had slain unintentionally or who thought that their acts were justifiable resorted to shrines for protection. It is natural that such persons should be tried at the places where they had taken refuge. Hence the minor homicide courts were established at shrines. Litigation naturally increased with the growth of the city and the Areopagus, while it continued to sit as a body on the most important cases, i.e., premeditated homicide, sought relief by drafting sections of fifty-one from its own numbers to sit in the minor homicide courts. Etymologically *ἐφῆται* means "men sent out" and is quite applicable to a commission of the Areopagus. As in later times each heliastic court represented the whole body of dicasts so the ephetae represented the Areopagus.¹

The prevailing view is that in the ephetic courts *δικασταί* were substituted for the *ἐφῆται* shortly after the revision of Draco's laws in 409-408. It is certain that the change had been made at the date of the oration of Isocrates against Callimachus which was delivered in 402 or 399.² In this speech 700 dicasts are mentioned as sitting at the Palladium. An oration of Demosthenes delivered about the middle of the fourth century represents 500 dicasts as trying a case in the Palladium.³ The first speech of Lysias, which in all probability belongs to the period after the overthrow of the Thirty, was delivered before the Delphinium where the court must have consisted of

¹ For the evidence for the views here expressed, cf. Gertrude Smith, *Administration of Justice from Hesiod to Solon*, pp. 16 ff.

² xviii. 52. 54. Blass dates this speech in 399, Jebb in 402.

³ ix. 10.

dicasts.¹ In the first place they are addressed as ὦ Ἀθηναῖοι² which is by no means a probable form of address for a court composed of a small section of the Areopagus, but which suits admirably a popular jury. Furthermore, the orator speaks to the jurors as if they were a large, representative body of the Athenian people. For example, he tells them that their vote is the most powerful in the city, πάντων τῶν ἐν τῇ πόλει κυριωτάτη.³ Although regular heliastic juries sat in the courts of the Palladium and Delphinium the name ephetae for the jurors in these courts survived. Demosthenes describes these jurors as ἐφέται.⁴ Aristotle also in a discussion of the Athenian homicide courts of his own time represents ephetae as sitting in the Palladium, Delphinium, and Phreatto.⁵ The lexicographers drawing their information from Demosthenes and Aristotle continue to use the term ἐφέται.⁶

The problem to be solved is, when the ephetae of Draco's time were replaced by dicasts. The majority of modern scholars base their conclusion that the change was subsequent to the redaction of Draco's homicide laws on the argument that the word ἐφέται would not have been used if heliastic jurors sat in the ephetic courts at this time.⁷

¹ For the date cf. Thalheim, *Lysias*, p. xxxvi. Sandys, *Aristotle's Constitution of Athens*, p. 230, says there is "nothing to show whether it was delivered before δικασταί (Schömann, Scheibe, Frohberger, Blass, Philippi) or before ἐφέται (Forchhammer and others) in the court of the Delphinium."

² Lysias i. 6. 7. Elsewhere the jurors are addressed as ὦ ἄνδρες. In extant forensic speeches the Areopagus is always addressed as ὦ βουλὴ. The regular form of address to the heliastic jurors is ὦ ἄνδρες δικασταί varied by ὦ ἄνδρες and ὦ Ἀθηναῖοι. Nowhere do we find ὦ ἐφέται used in addressing a jury.

³ i. 36. Cf. 30. 34.

⁴ xxiii. 38.

⁵ *Ath. Pol.* lvii. 4. οἱ λαχόντες πάντα ἐφέται. The word ἐφέται here is a restoration, but it seems to be the only possible one, for Harpocration derived his statement about the ephetae from Aristotle and this is the only passage where the word can have occurred. Kenyon in his latest edition reads ἐφέται.

⁶ Cf. Harpocration, Suidas, s.v., and Pollux viii. 125. Miller, article "Ephetai" in Pauly-Wissowa, explains the statement of Pollux, κατὰ μικρὸν δὲ κατεγέλσθη τὸ τῶν ἐφετῶν δικαστήριον, as referring to the gradual loss of prestige on the part of the ephetic courts before dicasts were substituted for the ephetae. Sandys, on Aristotle *Ath. Pol.* lvii. 4, says that the ephetae perhaps retained their jurisdiction in a formal sense, acting as a sort of presiding committee while the actual voting was in the hands of the dicasts. I should like to suggest that the Athenians made a jest of the legal fiction involved in calling dicasts ephetae and that the reference is to a time when even the official designation of ephetae was dropped and the jurors were known only as dicasts.

⁷ Lipsius, *Attisches Recht*, p. 40; Keil, *Griechische Staatsaltertümer*, in Gercke-Norden, *Einleitung in die Altertumswissenschaft*, III, 350; Lecrivain, article "Ephetai" in Daremberg-Saglio; Miller, *op. cit.*; Philippi, *Der Areopag und die Epheten*, pp. 318 ff.

This argument, however, is of no significance in view of the fact mentioned above that in the time of Demosthenes and Aristotle, for which there is indisputable evidence that heliastic jurors sat in the minor homicide courts, the name *ἐφέται* still survived in official documents.¹ In the inscription, which has been largely restored from the laws interpolated in speeches of Demosthenes, the ephetae are mentioned in four passages. At the beginning there is the following provision in connection with the procedure in a trial for unpremeditated homicide.

καὶ ἑὰμ [μ'] ἐκ [π]ρονο[ι]α[s] [κ]τ[έν]ει τίς τινα, φεύγων, δ]ικάζεν δὲ τὸς βασιλέας αἰτ[ι]δ[ν] φό[νο] εἰ [ἐ]άν τις αἰτιᾶται ἡδὲ βου[λ]εύσαντα, τὸς δ[ἐ] ἐφέτας διαγν[ώ]ναι.²

Later in the code the expression *τοὺς ἐφέτας διαγνῶναι* occurs again in a passage regarding the procedure to be followed in dealing with a person who has killed an exiled murderer while he is keeping his interdict and again in a provision about justifiable homicide.³ Elsewhere in the inscription, however, in a provision regarding the granting of *αἵδεσις* to an exiled murderer when there are no relatives of his victim living the following sentence occurs.

ἐὰν δὲ τοῦτον μεδ' ἡὲς εἴ, κτένει δὲ ἄκο[ν]τα, γ[ν]ῶσ[ι] δ[ὲ] ἡ[ο]ι πεν[τ]έκοντα καὶ ἡὲς ἡοι ἐφέται ἄκοντα κτέναι, ἐσέσθ[ο]ν δέ[κα] ἡοι φράτερες ἐὰν ἐθέλωσιν. τούτος δ[ὲ] ἡ[ο]ι πεντέκο[ν]τα καὶ ἡὲς ἄρ[ι]σ[τ]ίνδεν ἡαιρέσθον.⁴

It is noteworthy that in this case alone in the code the number of the ephetae is specified. The distinct reference here to fifty-one ephetae occurring between two sections where they are called ephetae only must have some significance.⁵ The passage in which the number

¹ It is interesting to note that the same scholars who use this argument admit that the name ephetae continued to be used in the fourth century. Cf. Miller, *op. cit.*

² Ll. 11 ff. The text is that of Dareste, Haussoullier, Reinach, *Recueil des inscriptions juridiques grecques*, II, no. 21. For interpretation of the various provisions of the code, cf. Gertrude Smith, *op. cit.*, pp. 44 ff.

³ Ll. 26 ff.; ll. 33 ff.

⁴ Ll. 16 ff.

⁵ It is noteworthy that this is the case also with the laws inserted in Demosthenes (xxvii. 37; xliii. 57, etc.) from which the restoration of the code was largely made. Demosthenes xliii. 57 from which the present restoration was made reads *ἡ οἱ ἐφῆται*, but the word *ἡ* is probably a misinterpreted rough breathing. Or it may be regarded as an explanatory *ἡ* ("that is to say"). Cf. Hicks and Hill, *Greek Historical Inscriptions*, No. 78, l. 14 and Gertrude Smith, "The Prytaneum in the Athenian Amnesty Law," *Classical Philology*, XVI, 348.

occurs deals not with the actual homicide trial, but with a subsequent action. A murderer after serving a term of exile might be granted *αἵδεσις* by the relatives of his victim. But if there were no relatives he might still obtain *αἵδεσις*. If a body of fifty-one ephetae, on reviewing the original trial, confirmed the judgment that the act was unpremeditated, then ten phratry members chosen by this body might grant the exile permission to return.¹ In the homicide trial itself, however, the inscription makes no mention of the number of ephetae who were to act. The explanation is then simple. The situation affords an excellent example of the tendency of Athenian institutions to persist generation after generation in more or less modified form. The original ephetic courts were composed of fifty-one men chosen as commissions of the Areopagus.² At some time, however, prior to the redaction of Draco's laws heliastic jurors were substituted for ephetae in these courts. In only one particular phase of homicide cases, the granting of *αἵδεσις* to murderers in exile, did a body of fifty-one ephetae continue to function. Presumably this body also was now composed of heliastic jurors.³ It appears then that the Athenians of 409-408 made a real revision of the Draconian code and did not blindly continue to speak of fifty-one ephetae when large panels of dicasts actually sat in these courts.

This view of the composition of the ephetic courts at the time of the revision of Draco's laws is consistent with the other passages in which the term occurs. A passage which has usually been considered of equal weight with the Draconian code in proving a late introduction of heliastic jurors into the ephetic courts is the amnesty law which was passed after the battle of Aegospotami in 405.

¹ It is to be observed that γνῶσις is here used of the ephetae while in the three other passages διαγιγνώσκειν is used of their decision in an actual trial. Evidently the lawgiver, in the case of *αἵδεσις*, attempted to differentiate the function of the fifty-one ephetae. The fifty-one here act like a modern board of pardons which reviews a case and makes a recommendation to the chief executive of the state. γνῶσις may very well express this action. Cf. Kennedy's translation of Demosthenes where γνῶσις is rendered "shall declare" and διαγιγνώσκειν "decide."

² Cf. Gertrude Smith, *Administration of Justice from Hesiod to Solon*, pp. 17 ff.

³ The function of the ephetae is in this case primarily religious, i.e., the granting of *αἵδεσις*. Religious conservatism is satisfied by retaining the number, though the personnel is changed. There is, however, no objection to assuming that in this particular instance the ephetae continued to be drawn from the Areopagus.

πλὴν ὅποσα ἐν στήλαις γέγραπται τῶν μὴ ἐνθάδε μινάντων, ἡ ἔξ Ἀρείου πάγου ἢ τῶν ἐφετῶν ἢ ἐκ πρυτανείου ἐδικάσθη ὑπὸ τῶν βασιλέων, ἡ ἐπὶ φόνῳ τίς ἐστι φυγὴ ἢ θάνατος κατεγνώσθη ἢ σφαγεῦσιν ἢ τυράννοισι.¹

Here again the phrase τῶν ἐφετῶν is to be explained as a survival. It is a concise way of referring to the courts of the Palladium, the Delphinium, and in Phreatto, now manned by heliastic jurors.

Further confirmation of the view that the reorganization of the ephetic courts had been made prior to 409-408 is afforded by two speeches of Antiphon. The *Choreutes* at least was delivered before the Palladium.² In this speech there are two forms of address to the jury, ὦ ἄνδρες δικασταὶ³ and ὦ ἄνδρες.⁴ It is quite improbable that such a form of address as ὦ ἄνδρες δικασταὶ would have been used of any except heliastic jurors.⁵ In the Herodes murder trial the defendant complains that he is being tried as a *κακούργος* when he should have been tried before a homicide court. In this connection he says to the dicasts that if they release him on the present charge he will not escape them altogether, for, when he is brought before the proper homicide court, they will be the ones who will try him there also.

καὶ φεισαμένοις μὲν ὑμῖν ἐμοῦ νῦν ἔξεστι τότε χρῆσθαι ὅτι ἂν βούλησθε, ἀπολέσασι δὲ οὐδὲ βουλευσασθαι ἔτι περὶ ἐμοῦ ἐγχωρεῖ.⁶

This passage need not be taken to mean that exactly the same men would constitute the jury in the two courts, but rather that in each court there would be a heliastic jury which of course represented the whole Athenian people. It is impossible that the defendant should

¹ Andocides i. 78. For the text, cf. Gertrude Smith, "The Prytaneum in the Athenian Amnesty Law," *Classical Philology*, XVI, 348. Lipsius, *op. cit.*, p. 40, uses this law to prove that the change came during the archonship of Euclides. The MS reads ἡ Δελφινίου after πρυτανείου and Keil, *Die Solonische Verfassung*, p. 111, has accepted this as proof that the Delphinium was already manned by heliastic jurors. But this is quite improbable. Cf. Lipsius, *op. cit.* The phrase is merely a gloss.

² Lipsius, *op. cit.*, p. 918, n. 66; Blass, *Attische Beredsamkeit*, I, 195. Blass, I, 187-88, contends that the *Stepmother* case also was tried before the Palladium, but Lipsius, p. 166, assigns it to the Areopagus.

³ vi. 1.

⁴ vi. 7, 16, 20, etc.

⁵ Cf. Blass, *op. cit.*, p. 197, who asserts that the *Choreutes* trial took place in the Palladium before heliastic jurors.

⁶ v. 90. Cf. 94. οὐδὲ χρόνος πολλὸς ὁ διαφέρων, ἐν ᾧ ταῦτα νομίμως πράξεθ' ἂ νῦν ὑμᾶς παρανέμωσι πείθουσιν οἱ κατήγοροι ψεύδισσασθαι . . . νῦν μὲν οὖν γνωριστὰ γίγνεσθε τῆς δίκης, τότε δὲ δικασταὶ τῶν μαρτύρων.

have spoken in this way if his case on being transferred to the proper homicide court (in this case the Palladium) was to come before a small special body. These speeches delivered prior to 411 B.C. afford the earliest evidence for heliastic jurors in the ephetic courts.

Inasmuch as the ephetae were originally commissions of the Areopagus it is natural in seeking to determine the date of the reorganization of these courts to connect it with the curtailment of the jurisdiction of the Areopagus.¹ Twice in the fifth century the Areopagus was shorn of some of its powers. Under Ephialtes in 462, various cases which had formerly been under the jurisdiction of the Areopagus were turned over to the heliastic courts.² Aristotle gives no definite information about the types of cases involved, but it seems certain that the jurisdiction of the Areopagus was now practically confined to homicide cases.³ Subsequently Pericles τῶν Ἀρεοπαγιτῶν ἕνια παρείλετο.⁴ Now the only change which Pericles could have made at that time was to substitute dicasts for the commissions of the Areopagus which sat in the ephetic courts. An adequate motive for such a change is found in his inauguration of pay for dicasts as a bid for popular favor in his contest with the wealthy Cimon. It is only natural that he should increase the amount disbursed by the state by extending the jurisdiction of the dicasts.⁵ Aristotle's failure to mention at this point the transfer of the three homicide courts to heliastic jurors is easily explained. The ephetae are Areopagites.

The general tendency of Athenian constitutional development from the time of Solon was to throw more and more power into the hands of the heliastic courts. The substitution of dicasts for ephetae is a natural and important step in this development.

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¹ Cf. Wyse, *Companion to Greek Studies*, p. 479, "Whether this ancient institution [the ephetae] survived at all under the developed democracy is doubtful."

² Aristotle, *Ath. Pol.* xxv. 2; Plutarch, *Pericles* ix; *Cimon* xv. Schulthess, *Das attische Volksgericht*, p. 22, says that γραφή παρανόμων, audit of officials and dokimasia were assigned to the heliastic courts.

³ Philochorus *FHG* i. 407. Ἐφιάλτης μόνον κατέλιπε τῇ ἐξ Ἀρείου πάγου βουλῇ τὰ ὑπὲρ τοῦ σώματος.

⁴ Aristotle, *Ath. Pol.* xxvii. 1; Plutarch, *Pericles* ix.

⁵ Rauchenstein, *Philologus*, V, 603, says that Pericles limited the powers of the ephetae at this time to deciding whether a case was premeditated or unpremeditated homicide. Cf. Lipsius, *op. cit.*, p. 26, n. 83.

ADMINISTRATION OF JUSTICE UNDER PISISTRATUS

By ROBERT J. BONNER

Pisistratus seized the government of Athens by force but chose to rule "constitutionally" (πολιτικῶς) rather than "despotically"¹ (τυραννικῶς). He took care, however, that the chief offices should be held by his relatives and adherents.² Under the established constitution which Pisistratus preserved in form the magistrates were selected by lot from a group elected by the tribes.³ Such a system would not be difficult to manipulate so as to secure officials agreeable to the tyrant. It is unlikely that the people were assembled for any purpose after they were disarmed and told to "go home and attend to their private affairs, while he for the future would manage the business of the state." His policy was to keep the people busy and contented "in order that they might have neither the desire nor the leisure to attend to public affairs."⁴ According to Greek notions "public affairs" (τὰ κοινά) included the administration of justice.⁵

Solon laid the foundation of the subsequent democratic judicial system by allowing appeals from the decisions of the magistrates, all of whom exercised judicial functions, to the popular courts. Obviously no tyrant be he never so inclined to govern "according to the established laws"⁶ would venture to permit the people to reverse the verdicts of the magistrates whom he selected. In this case the remedy was simple. Pisistratus had only to abolish the right of appeal but recently acquired and revert to the old system under which magistrates had "power to decide cases finally on their own authority."⁷

¹ Aristotle *Constitution of Athens* xvi. 2, translated by Kenyon.

² Thucydides vi. 54.

³ Aristotle *op. cit.* viii. 1.

⁴ *Ibid.* xv. 5; xvi. 3.

⁵ Gertrude Smith, *Administration of Justice from Hesiod to Solon*, pp. 1 ff.

⁶ Herodotus i. 59.

⁷ Aristotle *op. cit.* iii. 5.

Pisistratus ran little or no risk in allowing magistrates and judicial officers who were his own appointees to administer justice. In furtherance of his policy of keeping the people on their farms the tyrant appointed justices to go on circuit throughout the country districts. Pisistratus himself like the earlier chiefs on occasion went about among the rural inhabitants "settling disputes." The words *διαλύνων τοὺς διαφορομένους* at once suggest the process of arbitration. And no doubt Pisistratus and the itinerant judges like arbitrators attempted to effect a compromise before rendering judgment.¹ It may very well be that Pisistratus' casual experiences as a composer of disputes suggested to him the appointment of these rural judges.

Criminal and civil or public and private cases were in all probability not so clearly distinguished as they came to be later. The cases that came before the circuit judges were mainly civil as the words *τοὺς διαφορομένους* would seem to indicate. The same was true also of the archons, though the Thesmothetae may have had both civil and criminal jurisdiction as they had under the earlier system.² But the bulk of the criminal cases would naturally fall within the jurisdiction of the Areopagus which is known to have continued to function as a homicide court under the tyrants. Even Pisistratus himself was summoned before the Areopagus on a charge of murder.³ Under the pre-Solonian system it was the criminal court "which inflicted personal punishments and fines summarily upon all who misbehaved themselves." Under the Solonian system it "corrected offenders, having full powers to inflict either fines or personal punishment. . . ." It also tried those who conspired for the overthrow of the state, Solon having enacted a process of impeachment to deal with such offenders.⁴ There would seem to be no good reason why a tyrant who was disposed to govern constitutionally might not with perfect safety have permitted the Areopagus to continue to administer criminal justice. It was recruited from ex-magistrates who were his own appointees. There is no indication that the process provided for subverters of the government was employed to protect the

¹ Aristotle *op. cit.* xvi. Cf. Bonner, "Institution of Athenian Arbitrators," *Class. Philol.*, XI, 193 ff.

² Cf. Gertrude Smith, *op. cit.*, pp. 24 ff.

³ Aristotle *op. cit.* xvi. 8.

⁴ Aristotle *op. cit.* iii. 6; viii. 4.

tyranny once it was well established. Aristogeiton the tyrannicide after being interrogated under torture in the presence of Hippias was slain by the tyrant's own hand. But no conclusion can be drawn from this case as to the personal participation of the tyrants in the administration of justice. The statement that Pisistratus was *τοῖς ἀμαρτάνουσι συγγνωμονικός* refers to the pardoning power which as head of the state he would naturally exercise.¹

Pisistratus has the credit for contributing unwittingly to Athenian practice one of its most admirable features—public arbitration. His rural justices abolished on the overthrow of the tyranny were restored in 453–452 when there was a great increase in litigation in the dicasteries due to the reorganization of the Areopagus. They now numbered thirty. When the board was reorganized and increased to forty on the overthrow of the Thirty the arbitral functions of the original board were assigned to the public arbitrators. De Sanctis, I believe, stands alone in rejecting the statement of Aristotle who is the only ancient writer who attributes the establishment of these judges to Pisistratus. The objection that they could not have been called *κατὰ δῆμους* at this time is of little weight, for although the demes were not treated as distinct political units until the reforms of Cleisthenes they were ancient divisions, more ancient than the naucrariae. To his further objection that it is not easy to understand why Cleisthenes should have abolished them it is sufficient to reply that it was only natural to dispense with an innovation of a hated régime particularly when the new system encouraged the citizens to resort to the city rather than stay on their farms. His final objection is that “le ragioni che spiegano la istituzione di *δικαστὰ κατὰ δῆμους* nella età di Pericle non sussistono per l'età di Pisistrato, quando i tesmotei non avevano avuto il carico d'istruire tutti i processi di stato tolti all' Areopago.”² It is quite true that so far as the legal situation was concerned the new judges were not needed until the period when the reorganization of the Areopagus threw additional burdens on the dicasteries. But the policy of Pisistratus was determined by political not judicial considerations.

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¹ Aristotle *op. cit.* xvi. 2.

² *Storia della Repubblica Ateniense dalle Origini alle Riforme di Clistene*, p. 305.

FRANK FROST ABBOTT

DIED AT MONTREUX, SWITZERLAND, JULY 23, 1924

The faculty of Princeton University places on its record this Minute regarding the death of Professor Frank Frost Abbott:

"After full preparation, based on his Yale training and subsequent study, and after seven years' service on the Faculty of Yale, he entered on his earlier career of fourteen years in the formative period of the University of Chicago, where his rare scholarship and large constructive influence on general plans and policies soon won him high recognition.

"His later career of eighteen years belongs to Princeton. Of his life and influence here this Minute can make but brief notice. Some fuller tribute is needed to delineate with just expression the portrait of his gentle, studious spirit.

"His mind was historical and his field was political and social Roman civilization, as disclosed in its language, literature, and antiquities, in its unbroken continuity of life, and notably in its relation to the problems of today. A fine instance of this sweep of vision is his recent book on *Roman Politics*, written down to the general understanding, yet not a weakened popularizing of his theme, but the fine summing and simplifying done by a master—only the things of prime importance, the main architectural lines surely drawn and all else discarded. This book, more than any other thing he wrote, shows in general the structure of his thinking. His more elaborated works reveal his scholarship in detail as well as in the large. Herein may be noted his breadth of view, affluence of knowledge, critical strictness, fine exactness, and above all his sanity of historical judgment. It is gratifying to learn that competent judges believe his forthcoming work on *Roman Municipal Government* will prove to be his crowning achievement.

"To his students he was an enlightening teacher and faithful adviser. In our councils he was neither contentious nor silent, and always considerate. His temper was not controversial, but tolerant and patiently deliberative, and his quiet advice, never obtruded, was eagerly sought. His horizon was wider than his own work and he was always thinking of what was beyond it—the work of other men, other fields, other times—and thus came to find his refreshment in reflecting calmly on the larger themes of human life.

"His gentle friendliness endeared him to all and his uncomplaining endurance of long and discouraging illness has left us a shining example not to be forgotten."

ANDREW FLEMING WEST
GEORGE B. MCCLELLAN
EDWARD CAPPS

Committee

NOTES AND DISCUSSIONS

THE DURATION OF THE EFFICACY OF THE TAUROBOLIUM

Vivere cum speras viginti mundus in annos.

The meaning of this verse, taken from the taunt directed apparently against Vettius Agorius Praetextatus by the anonymous author of the *Carmen contra Paganos* (PLM iii. p. 290, 62), has been made clearer by two inscriptions: *CIL* vi. 504, of 376 A.D., which closes with the couplet,

vota Faventinus bis deni suscipit orbis
ut mactet repetens aurata fronte bicornes,

and *ibid.* 512, of 390 A.D.,

Ceionius Rufius Volu[sil]anus . . . iterato, viginti annis
exp[le]tis, tauroboli sui (*sic*), aram constitu[it] et consecrav[it].

From these it is evident that one who enjoyed the bloody rite of the *taurobolium* was assured of protection for twenty years. In fact, as is well known, this form of initiation into the mysteries of the Great Mother of the Gods was a symbolic death and rebirth, as is shown by the word *renatus*, in the confident expression used by the noble Sextilius Agesilaus Aedesius,

pater patrum dei Solis invicti Mithrae, hierofanta
Hecata(rum), dei Liberi archibucolus, taurobolio
criobolique in aeternum renatus [*CIL* vi. 510, of
376 A.D.].¹

The day on which the rite was celebrated became the *dies natalis* of the devotee. So we find (*ibid.* ii. 5260) *aram tauroboli sui natalici redditi d.d.* (cf. *ibid.* xiii. 573, a dedication *natalici virib[us]*). Perhaps, as has been conjectured, the first *taurobolium* conferred safety for twenty years, the second for eternity; but this conclusion is mere conjecture. The writer is inclined to think that that *in aeternum renatus* represents rather the enthusiastic hopes of the devotee than any dogma.²

Our evidence, in any case, points to twenty years as the term for which security was obtained; at the close of that period the pious might receive a second *taurobolium*, as did a *clarissima femina, sacerdos maxima M.d.m.I.*, in 383 A.D. (*ibid.* vi. 502: *taurobolio criobolique repetito*), and Ceonius Rufus Volusinianus in 390 A.D. (*ibid.* 512, quoted in part above).

¹ *CIL* vi. 736, in which the same expression *in aeternum renatus* reoccurs, is generally regarded as false.

² For the common view cf. Graillot, *Le Culte de Cybèle* (Paris, 1912), pp. 172 f.

The question naturally arises as to why twenty years was regarded as the period through which the rite was efficacious, a question that, so far as I have noticed, has not been answered. The explanation is probably to be found in the material that Roscher has collected in his treatises "Die Tessarakontaden und Tessarakontadenlehren der Griechen und anderer Völker," *Ber. d. Gesell. d. Wiss. zu Leipzig, phil.-hist. Kl.*, LXI (1909) 20 ff., and "Die Zahl 40 in Glauben, Brauch und Schriftentum der Semiten." Roscher there shows that among Greeks and Romans a *γενεά* was sometimes reckoned as twenty years, the half of the more common forty.¹ So Diogenes Laertius says of Pythagoras (viii. 10): διαίρεται δὲ καὶ τὸν τοῦ ἀνθρώπου βίον οὕτως· παῖς εἴκοσι ἔτη, νεηνίσκος εἴκοσι, νεανίης εἴκοσι, γέρον εἴκοσι. αἱ δὲ ἡλικίαι πρὸς τὰς ὥρας ὥδε σύμμετροι· παῖς ἔαρ, νεηνίσκος θέρος, νεηνίης φθινόπωρον, γέρον χειμὼν. To this we may add Ovid's charming comparison (*Met.* xv. 199 ff.):

Quid? Non in species succedere quattuor annum
Aspicis, aetatis peragentem imitamina nostrae?

The Athenian *ἐφηβοί* were thought in a sense to reach their majority at the close of the twentieth year (*Arist. II. A.* 47. 10). Apparently this same year was significant in the case of the Spartan youth as well (cf. Roscher, *op. cit.*, p. 75, Anm. 96). From Helen's flight with Paris to the close of the Trojan War was a complete *γενεά* of twenty years (*Il.* 24. 765 f.):

ἤδη γὰρ νῦν μοι τόδ' εἰκοστὸν ἔτος ἔστιν
ἐξ οὗ κείθεν ἔβην καὶ ἐμῆς ἀπελήλυθα πάτρης.

Odysseus, too, is absent twenty years (*Od.* 16. 206); and many other instances may be found in Roscher (*loc. cit.*). The same author shows (*ibid.*, pp. 156 ff.) that among the Romans also there is evidence of a *γενεά* of forty years, with its half, quite independent of Greek influence. Likewise among the eastern peoples of Indo-European origin, as well as among the Semites.

Is it not probable, then, that the belief that the *taurobolium* was efficacious for twenty years, i.e., half a generation, was brought from Anatolia or Persia to the West, where it fell in with a belief current from prehistoric times among the Greeks and Romans?

But if this be true, what shall we say of the statement made in a taurobolic inscription discovered near the Piazza of St. Peter's in the summer of 1919? Marucchi, who first published it,² regarded it as a sepulchral inscription, which it can hardly be; it is rather taurobolic, as Cumont has said.³ Two lines seem to refer to a second celebration of the rite:

ὁκτὼ γὰρ λυκάβαντας ἐπ' εἴκοσιν ἡρεμόντας
νύκτα διασκεδάσας αὐθις ἔθηκε φάος.

If this interpretation is correct, we have here for the first time twenty-eight years given as the period during which the effect of the *taurobolium* was

¹ Cf. Hesych: *γενεά· τὴν δὲ γενεὰν ὑφίστανται ἔτων οἱ μὲν κ', οἱ δὲ κε', οἱ δὲ λ'.*

² *Notizie* (1922), pp. 81 ff.

³ *Comptes rendus de l'Académie des inscriptions* (1923), pp. 253 ff.

believed to last.¹ The explanation of this period is more difficult than of the usual twenty years, but we may conjecture that probably the sacred number "7" lies at the basis of this reckoning and that the lunar month, reckoned as often at 28 days (4×7), has had its influence. This conjecture may not be so wide from the mark when we consider the great part the heavenly bodies play in the eastern religions.²

CLIFFORD H. MOORE

PAUSANIAS AND THE ATLAS METOPE

On the metopes of the frieze on the ends of the cella of the temple of Zeus at Olympia are represented the labors of Heracles. The fourth metope at the east end shows him in the center supporting the heavens, with a female figure behind him and Atlas extending toward him the Apples of the Hesperides.³ Practically all scholars accept this obvious identification of the male figures, but Pausanias is supposed to have confused the two.

This allegation against Pausanias arises from the supposedly inevitable interpretation of his description of Heracles as "Ἀτλαντὸς τὸ φόρμα ἐκδέχεσθαι μᾶλλον (v. 10. 9). The heavens are supposed to be meant by φόρμα; in which case, since the real Heracles already supports them, Pausanias must have thought Atlas was Heracles. Frazer in his translation and in his notes (I, 251; III, 525), Hitzig and Bluemner in their edition (II, 1, 336 f.), Curtius (*Att. Myth.*, I, 209), Overbeck (*Gesch. der Griech. Plastik*, I, 336 f.), Wernicke (Pauly-Wissowa, II, 2130), Furtwängler (*Rosch. Lex.* I, 1, 709), Baumeister (*Denk.*, I, 224), and Robert (*P. als Schriftsteller*, pp. 67 f.)—all give the same verdict against the guide. In my opinion, by φόρμα Pausanias means not the sky but the apples,⁴ and he is actually in precise agreement with his critics in understanding that Atlas has just returned with the apples and Heracles is about to shift back the heavens to him and receive the apples.

¹ I am unable to accept the views of Rose, set forth in the *JHS*, XII (1923), 194 ff., who feels some qualms himself over his interpretation of ἡρεμίων as "idle," whereas it clearly means "peaceful."

² On the number "7" and its various multiples, see Roscher, "Die enneadischen und hebdomadischen Fristen und Wochen der ältesten Griechen," *Abh. der phil.-hist. Klasse der Königl. Sächsischen Gesell. d. Wiss.*, Vol. XXI (1903), No. IV.

³ See Boetticher, *Olympia, Das Fest und seine Stätte*, 2 ed. Taf. xi opp. p. 294; Treu, *Die Bildwerke von Olympia in Stein u. Thon*, III, Taf. xl; Luckenbach, *Kunst u. Gesch.*, Teil I, 6 ed., fig. 46, p. 28; Luckenbach e Adami, *L'Arte nel Mondo Antico*, fig. 139, p. 38; Reinach, *Repertoire de Reliefs Grecs et Rom.*, no. 1, p. 198; Waldmann, *Griech. Originale*, no. 69; Overbeck, *Gesch. der Griech. Plastik*, 4 ed., I, 335, fig. 89; von Mach, *Handbook of Greek and Roman Sculpture*, pl. 90; Gardner, *Handbook of Greek Sculpture*, I, 228, fig. 48.

⁴ Hitzig-Bluemner seem to admit the linguistic possibility of this but reject it. See Robert, *loc. cit.*, for a conjecture as to P.'s mental processes.

Φέρω commonly expresses or implies motion¹; it was used of Hephaestus' famous fall from Heaven to Lemnos and, in the *Theaetetus*, of the Heraclitean eternal change. Pausanias himself uses it in v. 18. 4 of the bringing of these apples, and it is used four times to describe this act by the scholiast on Apollonius of Rhodes (iv. 1396). If we turn up our noun φόρημα from the same root in Liddell and Scott or Stephanus, we find that all the meanings and citations (including the only other occurrence in Pausanias, ix. 30. 2) involve motion and usually comparative lightness. Clothing, ornaments, a harp in the Pausanias passage, a tray, a burden of the mind, are the meanings given. Philoctetes in Sophocles' play admits that, if carried away, he will be a disagreeable φόρημα (474); one may compare φορτίον, a ship's cargo, in this connection.

On the other hand, ἔχω is the verb commonly used of supporting a great weight in a stationary manner. There are at least twenty passages,² four of them from Pausanias, in which this verb, its frequentative, or its compounds denote the upholding of heaven or earth, in most cases by Atlas. In fact, Aristotle comes out in the *Metaphysics* (iv. 23. 1023 A) with a definition of ἔχω as whatever hinders motion, "as pillars hold the masses resting upon them and as the poets represent Atlas holding the heaven so that it may not fall on the earth, just as also some of the physicists say." Occasionally more picturesque verbs, expressive of mighty effort, occur.³

Of nouns, instead of φόρημα, βάρος names such a burden in Aristotle (*loc. cit.*), Plutarch (*De Fac. in Orb. Lun.* 923 C), and the scholia on Aesch. *Prom.* 347, 428; ἄχθος so serves in Aesch. *Prom.* 366 and Philostratus Sr. (*Imag.* ii. 20). In a painting on the barrier around the statue of Zeus in this same temple at Olympia, Heracles is depicted (actually this time) as ready to assume the heavens; but Pausanias' language here is significantly different: 'Ηρακλῆς ἐκδέεσθαι τὸ ἄχθος ἐθέλων τοῦ Ἀτλαντος (v. 11. 5). One recalls Achilles in his lament over Patroclus calling himself a useless ἄχθος ἀρούρης, as Odysseus also is denominated in v 379. A fragment of Sophocles (945) calls the race of men a βάρος περισσὸν γῆς.

But the most significant passages are three in which Φέρω and ἔχω are plainly contrasted in the meanings given above. In the context of the Plutarch passage cited above we are informed that the moon is light, com-

¹ From many passages I find only two in which φέρω is used of the sky: anon. verse quoted by schol. Aesch. *Prom.* 428; and Philost. *Imag.* ii. 20, where the meaning is supplemented by ἄχθος.

² P. v. 11. 5; v. 18. 4 (twice); vi. 19. 8; Od. i. 53-54; Hes. *Theog.* 517, 746; Eur. *Hipp.* 747; schol. Apoll. Rhod. iv. 1396; Apollod. *Bib.* i. 2. 3; ii. 5. 11, 14; Proc. on *Tim.* i. 53 D (twice) = Schol. Alex. Arist. *Metaph.* iv. 23. 1023 A; Pind. *Pyth.* 1. 19; Plut. *loc. cit.*; Schol. Aesch. *Prom.* 350, 428 (twice); Eustath. 1389. 64 on Od. i. 52; Diod. Sic. 1112. 23 (cf. Eur. *Troad.* 884).

³ Aesch. *Prom.* 366, 446; Eur. *Ion* 2; Pind. *Pyth.* iv. 289; cf. Aesch. fr. 312 N, and schol. Apoll. Rhod. iv. 1396.

posed of fire and air, and whirled about like a sling; whereas the earth is heavier and motionless. The passage reads: "On the one hand, beneath the moon runs light air and such as cannot carry (*ἐνεγκεῖν*) a solid bulk; but, on the other hand, the earth, according to Pindar, pillars of adamantine base uphold round about (*περιέχουσι*)." Schol. Apoll. Rhod. iv. 1396 tells that Prometheus suggested to Heracles that he go to Atlas and offer *ἔχειν τὸν οὐρανὸν ἕως ἂν ἐνέγκῃ τὰ μῆλα*. And on the chest of Cypselus in Hera's temple at Olympia, says Pausanias (v. 18. 4), *Ἄτλας . . . οὐρανὸν τε ἀνέχει καὶ γῆν, φέρει δὲ καὶ τὰ Ἑσπερίδων μῆλα*.

According to my translation, then, Pausanias states that Heracles was about to take the apples. But, following a humorous interpretation of the metope by Curtius (*loc. cit.*), some scholars say that the whole point of the scene is Heracles' inability to take the apples ironically "held under his nose," because both hands are engaged in holding the sky. The cushion on his shoulders had originally suggested a story attributed to Pherecydes by Apollodorus (ii. 5. 11) and schol. Apoll. Rhod. (iv. 1396), according to which Atlas, after securing the apples, decided to leave to Heracles the burden of the heavens indefinitely. The latter, having asked Atlas to resume the load until he should place a cushion on his shoulders to ease it, when Atlas complied, took the apples and departed. But, seeing that the hero already has a cushion in the metope and therefore could not use such a ruse, Curtius, Overbeck, and Hitzig and Bluemner are driven to turn the jest on Heracles in that his hands are not free to take the apples.¹

But against a humorous explanation of the metope several considerations can be urged: (1) The fact that the quest of the apples is handled humorously on vase-paintings (as stated by Curtius, *loc. cit.*) is not convincing for this metope; there are many figures on vases which it would be nothing short of shocking to find on a temple frieze. (2) The use of both hands in supporting the sky has no special significance here; it appears in Hesiod. *Theog.* 517, 746 and (see Pauly-Wissowa, 2129, 53 ff.) on a lekythos in the National Museum at Athens. (3) Since the part of the temple above the frieze stood for the heavens being supported, the cushion is used doubtless with no reference to the Pherecydes story as an architectural device to avoid an awkward posture. (4) What suggests humor to some is mere condensation of the story. Heracles holding the sky stands for his act as substitute. Atlas showing the apples to Heracles stands for his successful quest and readiness to deliver them. The moment in the story including most of the significant details is chosen for representation. Surely Atlas can lay the apples down and relieve Heracles of his temporary burden; whereupon the latter will take his prize and go.

Wernicke (*loc. cit.*) and Baumeister (*s.v.*) reject the imputation of jesting and Powers² speaks of "the calm dignity of heroes and goddess alike."

¹ Weizsäcker (Korrespondenzbl. Württembergs, XXXVI (1889), 11-12 Heft) tries to follow Pherecydes by reversing the two figures, but the metope, Pausanias, and the scholars are all against him.

² *Message of Greek Art*, p. 118.

Art critics admit a certain naïveté,¹ but any amusement resulting is subjective with the more sophisticated spectator, not intentional with the sculptor. The sculptor meant that the hero was about to take the apples, and Pausanias so understood him.

Consider finally the fallibility of Pausanias according to his critics. Though he had carefully inspected and meticulously described the whole building, even to the ornamental figures on the garments of the temple statue, he thought that the older and less athletic (though rugged) figure was Heracles and that this "Heracles" was about to take the weight of the sky in order that the supposed "Atlas" should go to get apples which are already in the hands of the said "Heracles." To say, as Weizsäcker does (*loc. cit.*) and all adverse commentators on this passage must imply, that Pausanias didn't notice the apples (three in each hand) is like saying that a mature person interested in art looked at The Angelus without noticing that the heads were bowed. Or else it implies that the sculptor was so lacking in knowledge or skill that he left the significant feature of the metope invisible or inconspicuous to the spectator below.

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NOTE ON ANTIPHON v. 78

In this speech on the Herodes murder case, the defendant, speaking in defense of his father, contrasts his conduct with that of other Mytileneans whom he describes as follows:

ἐτέρους ὁρῶ τοὺς μὲν εἰς τὴν ἡπειρὸν ἰόντας καὶ οἰκοῦντας ἐν τοῖς πολεμίοις τοῖς ὑμετέροις καὶ δίκας ἀπὸ συμβόλων ὑμῶν δικάζομένους.

It has generally been supposed that the text of this passage is corrupt, since τοὺς μὲν would seem to require a correlative τοὺς δέ. Thus Gilbert² believes that there is some omission in the text and for this reason prefers to draw no conclusion from the passage. Other commentators have suggested various emendations to clear up the apparent difficulty, making various combinations of the participial phrases in order to provide the necessary contrast. Blass inserts τοὺς after ἰόντας and changes the following καὶ to δέ, so that the second and third phrases are connected and together contrasted with the first. In his *apparatus criticus* he adds the note: "πολέμιοι sunt Lacedaemonii eorumque socii quibuscum tunc temporis verbo pax erat Atheniensibus." Similarly Grote³ states: "It was the citizens of places not in alliance with Athens who litigated with the Athenians according to δίκαι

¹ Powers (*loc. cit.*); Gardner, *Handbook of Greek Sculpture*, p. 136; cf. Fowler-Wheeler, *Greek Architecture*, p. 222.

² *Greek Constitutional Antiquities*, p. 433.

³ *History of Greece*, V, 306.

ἀπὸ συμβόλων."¹ Thalheim inserts τοὺς δέ before καὶ δίκας, thus contrasting the third clause with the first and second. A similar emendation is given by Reiske who substitutes τοὺς δέ for the καὶ after ὑμετέροις. Fraenkel² goes farther and between ὑμετέροις and καὶ inserts τοὺς δέ ἐς πόλιν συμμαχίδα διοικιζόμενους, and then uses the passage to prove a contention quite opposed to Grote's view. Fraenkel's theory, which has been accepted by Stahl,³ is supported by his arguments from the political situation at this period (after the subjugation of Mytilene). All the cities on the mainland were then either enemies or subordinate allies of Athens, the only remaining independent allies being Chios and Methymna; it cannot be supposed that treaties were in force with the enemies of Athens, so that the reference in the passage must be to the subordinate allies.

All these interpretations have no more validity than the conjectural nature of the emendations on which they are based will warrant. The text as it stands is quite intelligible, and the use of μέν without any following δε is by no means unprecedented.⁴ There appear to be two possible explanations of the reference to πολέμοι from whose country treaty cases are said to be brought. It might perhaps be used of cities outside the empire in an exaggerated and rhetorical contrast with cities in the empire, not only for lack of a suitable word to describe such cities, but also to gain an effect by the use of a word of sinister implications. The use of ξένοι in this connection would be out of the question, as this term was commonly applied to the subordinate communities. It is more probable, however, that the term is here used of cities in which there was a strong party opposed to Athens. These might well be referred to as hostile to the Athenian people. The activity of a number of Mytilenean exiles who were endeavoring to wrest the "cities of the coast" from Athens lends some plausibility to the use of the term.⁵

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EMENDATION OF ARISTOTLE *METAPHYSICS* 1075 b 7

ἀτοπον δὲ καὶ τὸ ἀφθαρτον εἶναι τὸ νεῖκος· τοῦτο δ' ἐστὶν αὐτὸ ἢ τοῦ κακοῦ φύσις. For αὐτό we should read αὐτῷ. What Aristotle says is that for Empedocles, in Empedocles' system, νεῖκος is the principle of evil. Cf. *Metaphysics* 985 a 6. This is of course an inference, but the epithets of νεῖκος in Empedocles bear it out.

¹ For a full discussion of Δικαὶ ἀπὸ συμβόλων, cf. Robertson, *Administration of Justice in the Athenian Empire*, "University of Toronto Studies, History and Economics," IV, 1.

² *De Condicione, Iure, Iurisdictione Sociorum Atheniensium*, pp. 49 ff.

³ *De Sociorum Atheniensium Iudiciis Commentatio*, p. 14.

⁴ For other examples in Antiphon see i. 9, ii. 4, iv. 1, v. 37, and vi. 1. 14.

⁵ Thucydides iv. 52, cf. iii. 50.

For the dative cf. *ibid.* 985 a 23, πολλοῦ γοῦν αὐτῷ ἢ μὲν φιλία διακρίνει, τὸ δὲ νείκος συγκρίνει. and Plato *Laws* 706 d, Ὀδυσσεὺς γὰρ αὐτῷ (sc. Ὀμήρῳ) λουδορεῖ τὸν Ἀγαμέμνονα. There is no lack of other examples.

αὐτὸ here could hardly be construed "the very nature of evil" and "this itself" would not be satisfactory. Aristotle assumes as self-evident that the principle of evil is not primal and external. Cf. *inter alia*, 1072 b 34, 1075 a 38, 1091 b. Evil is an accident of the region below the moon. And if for Empedocles strife is evil it is absurd that strife should be eternal as it is in his system.

Bonitz renders αὐτὸ, etc., *ipsa per se*. The Didot edition *quum haec ipsa mali natura est*. Lasson: *macht doch eben dieser die Natur des Schlechten aus*; Ross: "Strife is the very nature of the bad."

PAUL SHOREY

NOTE ON THE SECOND HYPOTHESIS OF EURIPIDES' ORESTES

In the hypothesis attributed to Thomas Magister instead of Ἀγαμέμνονα . . . τῆς οἰκίας ἐπειλημμένον we should read τῆς οἰκίας. I doubt if Greek usage would employ ἐπιλαμβάνομαι in this sense with οἰκία. So in English we would not substitute "house" for "country," "harbor," or "town" in "here have I touched Sicilia" or in "touched at" or "on."

It is another case of iotacism. Cf. *Classical Philology*, I, 81, and III, 199. ἡ οἰκία (sc. γῆ) is familiar usage. Cf. Herodotus i. 64; Thucyd. iv. 92. 3; vi. 31. 6; vi. 66. 3; vi. 69. 3; Demos. 01. i. 14. For ἐπιλαμβάνομαι in this sense, cf. Plato, *Crat.* 414 b, ἐπειδὴν λείον ἐπιλάβομαι; Xen. *Hellen.* vi. 5. 52; Plut. *Sulla* xxvii. 4, τῆς Ἰταλίας ἐπιλαβόμενοι; Demos. xxxvi. 2, ἐρημίας ἐπειλημμένον.

The obvious and trifling suggestion may have been made, but I do not find it in any of the eight or ten reprints accessible to me. A slight confirmation might be found in *Odyssey* 4. 521, ἐπεβήσето πατρίδος αἴης.

PAUL SHOREY

DRACO IN THE HEARTS OF HIS COUNTRYMEN

At the present time, the name of Draco has but one connotation—that of puritanical harshness. His own countrymen, however, and the Romans who learned of him from them were not so unanimous. It is their varied opinion about him which I want to point out in this paper; I am concerned with Draco not as a historical character but as a "hero" in the mythology of the Greeks and Romans; my spotlight is directed rather at the thoughts invoked by the name Draco than at the man himself. These thoughts may be classed in three categories, though these categories are by no means watertight compartments.

First, the tradition of severity which survives today. The earliest appearance of this comes from the latter half of the fifth century, and is

Herodicus' pun that Draco's laws were not "those of a man, but of a dragon."¹ Similarly, a hundred years later, Demades remarked that Draco's laws "were written in blood, not in ink."² Obviously, these jests appealed to a popular feeling, or they would hardly have been made. More serious is Aristotle's remark that "There is nothing original worth mentioning about Draco's laws except their severity."³ A leap of four hundred years brings us to the fountain-head of modern tradition—Plutarch. He says:

Solon first repealed all of Draco's laws except those on homicide because of their harshness and the magnitude of the punishments. For, with hardly an exception, one punishment, death, was established for criminals, so that men convicted of idleness were put to death, and men who stole vegetables or fruit were punished like the plunderers of temples and the murderers.⁴

He then quotes Demades' joke, with which, Plutarch says, the orator made a hit. There follows a would-be quotation from Draco himself:

He himself, so they say, when asked why he decreed death as the punishment for most crimes, said that he thought the petty crimes worthy of death, and he had no greater punishment for the great ones.

Here is the complete picture of Draco the unsmiling Pilgrim Father. Gellius has much the same sort of remarks to make:

In his laws, Draco believed and ordained that a thief, no matter what his theft, should be punished with death, and established many other unduly severe penalties. Consequently, because his laws seemed to be more severe than was expedient, they fell into disuse not by decree and official action but by the silent and unwritten agreement of the Athenians.⁵

However, as we shall see later, Gellius has also some compliments for Draco. Alciphron⁶ also blames Draco for being inattentive to the cause of public morals while harsh to petty thieves; interestingly enough, Solon here comes in for half of this censure along with his predecessor; this reminds one of Lycurgus' statement about the severity of "*οἱ ἀρχαῖοι νομοθέται*."⁷ Finally, Tzetzes repeats Plutarch's account, with the addition of a rhetorical bouquet pinned on Demades.⁸

So much for the ancestry of the modern tradition. We have seen that Alciphron coupled Solon with Draco; unique as this is in the tradition of harshness, it is a commonplace in other references to Draco. In fact, a second category of references may be made up of just this coupling of Draco with Solon, and in some cases with others, as typical of ancient statesmanship. Cratinus⁹, for instance, says, "In the name of Solon and Draco, whose law-tablets they now use to parch their barley!" Aeschines¹⁰ speaks of that famous Solon, the ancient lawgiver, and Draco, and the lawgivers of that

¹ Aristotle *Rhet.* 1400 b, 19–22.

² Plutarch *Solon* 17.

³ *Politics* B 1274 b, 15–18.

⁴ *Solon* 17.

⁵ *Noct. Att.* xi. 18.

⁶ ii. 38. 3.

⁷ *Vs. Leoc.* 65–66.

⁸ *Chil.* v. 342–49, Kiessling.

⁹ *Fr.* 274, Kock.

¹⁰ *Vs. Timarch.* 6.

time." Xenophon¹ mentions selections from the laws of Draco and Solon as instruments in the moral instruction of slaves. The "Axiochus"² pairs Clisithenes with Draco. Cicero³ names him twice, in company with Solon, Theseus, and Lycurgus. Dio Chrysostom⁴ adds Numa and Zaleucus to the list of companions, and Ausonius⁵ also includes the latter. These casual references do not, of course, involve a judgment as to Draco's character; but if their neutrality swings at all to one side, it is toward the complimentary, since Draco is selected as typifying an honorable and honored class. Xenophon and Aeschines, in particular, closely approach in sentiment some members of the third category.

This category includes compliments paid to Draco both directly and in the form of ascription to him of laws.⁶ The earliest instance is of the latter form. Lysias states that Draco was responsible for the law against "*ἀργία*"⁷—vagrancy. In this Lysias is supported by Plutarch, in the passage quoted above, and by Pollux.⁸ On the other hand, this conflicts with Plutarch's well-known statement, also quoted above, that Solon did away with all of Draco's laws except those on homicide; moreover, Herodotus says⁹ that Solon introduced the vagrancy law from Egypt; and Plutarch again, without noticing this his second inconsistency, says it was not Solon, but Pisistratus, who established the law.¹⁰ Having pointed out the threads of this Gordian knot, I shall not attempt to cut it; the important point is that Lysias assigns a law of disputed authorship to Draco, that the tradition of this assignment was strong in Plutarch's time, and that it lasted to Pollux' time.

Now for some direct compliments to Draco. Demosthenes,¹¹ after stating that though Draco's laws were severe, "Nevertheless he did not do away with the spirit of justice," says, "If you justly praise Solon and Draco, though you cannot mention any public service on the part of either, except their establishment of expedient and excellent laws. . . ." This is obviously an appeal to a popular approval of Draco, severity or no severity. Again, Gellius, who, as we have seen, paints Draco's harshness in somber hues, first declares that he "was thought to be a good man, and of much

¹ *Oec.* 14. 4; cf. Philodemus, *Oec. Col.* 7. 1, 14 ff.

² 365 d.

⁴ *Or.* lxxx. 3.

³ *De Orat.* i. 197 and *De Re Pub.* 2. 2.

⁵ *Com. Professor.* xxii. 10 f.

⁶ I do not include the laws which were by common consent assigned to Draco, and therefore omit references such as Andocides' account of their restoration after the tyranny of the 400 (*de Myst.*, 81 ff.; cf. *I.G.* i. 61) and Xenarchus *ap. Athenaeus* xiii. 569 d, which refers probably to that section of Draco's laws on homicide making the killing of an adulterer justifiable homicide.

⁷ *Vs. Ariston, Lex. Rhet. Cantab.* p. 665. 19; cf. a confused version from the *vs. Nicias, Diog. Laert.* 1. 55.

⁸ viii. 43.

¹⁰ *Solon* 31.

⁹ ii. 177.

¹¹ *Pro Lept.* 158 and *vs. Timocr* 211.

wisdom, skilled in the law of gods and men."¹ Lucian gives Solon and Draco as examples of "the best of the lawgivers."² Maximus of Tyre speaks of "Draco's venerable laws,"³ and Athenaeus⁴ puts him in the canon of famous Athenian lawgivers, together with Solon, and, strangely enough, Plato. Another law, this time one enjoining the worship of the ancestral gods and heroes, is laid, garnished with many complimentary adjectives, at Draco's door by Porphyrius.⁵ Finally, Hesychius⁶ and Suidas⁷ tell the yarn that Draco went to Aegina to establish a system of laws, and that the people, enthusiastic over the result, threw cloaks, tunics, and hats on him till he was smothered. The moral of this story seems to be "God save us from our friends," but, however Gilbertian the compliment, we can hardly doubt that it was supposed to be there.

The conclusion of the matter is this: Throughout classical antiquity the tradition about Draco existed in two forms, the tradition of severity, and the tradition of excellence; these two existed side by side, and might even, as in Gellius, be combined. Therefore, when Draco appears on the stage of popular opinion, he is cast in one of three rôles: as a harsh Puritan (Aristotle, Plutarch, Alciphron); as a neutral-tinted ancient lawgiver (Xenophon, Cicero, Ausonius); or as a paragon among statesmen (Demosthenes, Lucian, Porphyrius). This gives us an interesting glimpse of the fluidity of popular beliefs—a fluidity not without parallel today.

There is also a specific application of this conclusion. One theory about the "Draconian constitution" found in chapter iv of Aristotle's *Constitution of Athens* is that it was originally contained in a pro-oligarchical pamphlet, written about the time of the 400, in order to show an honorable precedent for the constitution which the oligarchs had introduced, or were about to introduce. Now, of course, this invented constitution would not have been fathered on Draco unless his reputation with the people was such as to be an asset to this supposititious child. But Draco's reputation probably was such at the time, for, (1) in general, the tradition of excellence had at least as many supporters as the tradition of severity, and, (2) in particular, not long after this time Lysias was assigning to Draco the vagrancy law which Herodotus before him had assigned to Solon. Therefore, it is quite possible that Draco was held in honor at the time, and that partisans seeking to set aside the constitution of Solon the democratic would appeal to the more ancient lawgiver as their sponsor. This is, of course, no proof that the "Draconian constitution" did originate as an oligarch pamphlet; it is simply a necessary condition of that theory.

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¹ *Noct. Att.* 11. 18.

² *On Not Rashly Believing Slander* 8.

³ iii. 5 c.

⁴ xi. 508 a.

⁵ *On Abstinence* 4. 22.

⁶ *Par.* 22.

⁷ *S.v.* Draco.

BOOK REVIEWS

Griechische Mythologie von L. Preller. Vierte Auflage erneuert von
CARL ROBERT. II, iii, Zweite Abt., erste Hälfte, VIII, 969–
1289. Berlin: Weidmann, 1923.

In this section—unhappily one of the last Robert can ever give us—we have a treatment of the greatest of the epic cycles, the tale of Troy divine from the beginning to the destruction of Ilium. As in the earlier sections of his revision of Preller, Robert has given us no mere revision of the older book, but a new work. The arrangement is considerably changed to advantage, and the subject is now treated under the headings: "I. Die Geschlechter und Helden"; "II. Ursache des Krieges. Vorbereitung. Abfahrt"; "III. Der Krieg bis zum Tod des Achilleus und Aias"; "IV. Neue Helden und Iliums Fall." And the discussion has grown from 74 pages in the third edition (1875) to 320. Unfortunately death overtook the veteran scholar before he could complete the revision of the proofs, during which process he was in the habit of adding many citations. Otto Kern, who saw the work through the press, has made no attempt to refer to the literature that has appeared since Robert's death in January, 1922.

If we remember that when Plew issued his third edition of this part of Preller's work nearly fifty years ago Schliemann's first excavations on the site of Troy had only recently been reported, we can realize what an enormous amount of archaeological material then unknown is now available for the interpretation of the Trojan cycle. Again the labors of scholars during the last half-century have borne rich fruit in publications, so that Robert had ready at hand a mass of illustrative matter that his predecessors did not possess. No one knew this material better than Robert, who was at once a philologist and an archaeologist of the highest rank, as is shown by almost every page of his work. Not only are the sources constantly cited, often at some length, but abundant references are given to modern works. Especially welcome are the numerous citations of vase paintings illustrating the matter in hand. To the Greek artists the subjects were already centuries old, so that they belonged to the realm of mythology, but the drawings are invaluable to us for they now make known, as nothing else can, the pictures, anachronistic though they be, which these tales called up in the minds of the Greeks. The same thing may naturally be said of sculpture.

In such a work, dealing with a vast number of details, it is inevitable that there should be many points on which no agreement among scholars is to be hoped for. Most who take up this section will turn to the part dealing with

the *Iliad* to see what position Robert held on the question of the unity of that epic, and they will find that the views which he had expressed in his *Studien zur Ilias* were substantially maintained to the end: The duels between Menelaus and Paris, Hector and Ajax, the Diomedea, the story of Rhesus, the Κόλος μάχη (*Il.* viii), and the Τειχομαχία (*ibid.* xii), with other smaller sections, are regarded as originally foreign to the story of the wrath of Achilles. Most of us who hold the belief that the present *Iliad* is a unit can readily grant so much, while stoutly maintaining that the poem as it stands is an artistic whole.

But it is useless to enumerate the points on which scholars will differ with Robert; the reviewer would rather express his satisfaction that the writing of a new Preller fell into such competent hands, and record his regret that Robert did not live to complete the task.

CLIFFORD H. MOORE

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The Cults of Campania. By ROY MERLE PETERSON. "Papers and Monographs of the American Academy in Rome," Volume I. American Academy in Rome, 1919. Pp. 403.

The directors of the Classical School of the American Academy in Rome and Professor Peterson are alike to be congratulated upon the publication of this scholarly study, the initial volume in the new series of "Papers and Monographs of the American Academy in Rome." The second volume of the series by Miss Lily R. Taylor on *The Cults of Etruria* has since appeared. These two volumes will meet with a sympathetic reception by all classical students and specialists in the history of Roman religion. Both volumes will enhance the prestige of the American Academy in Rome. Both are excellent representatives of American classical scholarship which need not fear comparison with the admirable publications of the British and the French academies in Rome.

In eight chapters Peterson gives us a somewhat detailed survey of the essential evidence—literary, epigraphical, numismatic, archaeological, and topographical—dealing with the cults of Campania. While the book is primarily valuable as a compendium of the more detailed studies scattered through the technical journals, Peterson shows conservatism and independence in the treatment of many moot points. This is especially true of his treatment of the somewhat extravagant combinations of some of the earlier Italian topographers of some local renown. In comparison with the use of epigraphic and numismatic material the use of the evidence from vase paintings, while not neglected, seems to the present reviewer distinctly more cursory.

The proportions of the work and its importance are indicated by the titles of the eight chapters: i, "The Development of Religion in Campania"

(pp. 1-44); ii, "Cumae, Baiae, Misenum" (pp. 45-98); iii, "Puteoli" (pp. 99-164); iv, "Neapolis" (pp. 165-221); v, "Pompeii and Herculaneum" (pp. 222-90); vi, "Nuceria, Stabiae, Surrentum, Capreae" (pp. 291-316); vii, "Capua" (pp. 317-76); viii, "Nola and the Minor Campanian Towns" (pp. 377-95); Addenda (pp. 396-400). Finally we have an Index of only three pages. This Index, both in extent and arrangement, is inadequate. It should have been greatly extended and made analytical.

In his first chapter, Peterson discusses briefly the problem of the primitive Campanian religion, the influence of the years of Etruscan domination, virtually attested only by evidence at Capua, the introduction of Greek cults along the coast and their spread to the interior, and most important of all the influence of Campania upon the religion of Rome.

In this last section of the chapter the limitations of the study necessitate a somewhat unnatural severance of Campania from the more southerly provinces of Magna Graecia. The student of Roman religion is primarily concerned with the Hellenizing influence of Magna Graecia as a whole, as against the transmarine influence of the Sicilian Greeks and those of the mother-country. Nevertheless, we have in this and the detailed chapters which follow an adequate and documented account of the successive stages of the transmission to Rome from Cumae of the cult of Hercules and the related Cacus myth; of the cult of Cumaean Apollo; of the Eleusinian triad of Demeter, Cora, and Dionysus, and perhaps of Mercury. The present reviewer is inclined to connect the spread of the *Dioscuri via Tusculum* to Rome rather with their patronage of the *equites* than with their functions as marine divinities. The connections of *Diana Nemorensis* of Aricia with Campania are shown to be much closer than is explicitly indicated by Wissowa. After the completion of the Appian Way to Capua, Capua in a sense supplanted Cumae as a focus of cultural influence. One would have welcomed a somewhat fuller summary of this matter than the half-paragraph on page 28. On the other hand, the seventh chapter on "Capua" is one of the most valuable in the book. The federal character of the sanctuary of *Diana Tifatina* is strikingly analogous to the early federal character of the cult of Diana of Aricia, a fact insufficiently emphasized. The section of this chapter dealing with Campania under the later republic and the progress of religion under the Empire are adequate. As Miss Taylor has since conclusively demonstrated in her study "The Worship of Augustus in Italy," *Transactions of American Philological Association*, LI, 116-33, Campania was perhaps the most important Italic center for the distribution of the imperial cult to the other parts of the Italic peninsula.

The second chapter on "Cumae [Baiae and Misenum]" represents the most adequate summary statement known to the reviewer of the religious and cultural influences of this ancient center of Hellenic culture. One finds no mention of Norden's *Commentary on the Sixth Book of the "Aeneid,"* which contains important material for the student of Roman religion.

Chapter iii devotes sixty-six pages to the discussion of the cults of the cosmopolitan commercial center of Puteoli with its close cultural and eco-

conomic relations with Delos and Alexandria. The imperial cult and notably the *Augustales* are highly developed here. The importance of the city as a distributing center for the oriental religions of Egypt, Asia Minor, Syria, and Judaism is hard to overestimate. Especially interesting is the discussion of the cult of Dusares on page 151.

The fourth chapter on "Neapolis" has an excellent treatment of the phratry gods and the important local cult of Parthenope. In view of Virgil's long sojourn on this coast he must have been intimately familiar with the local cults of Naples and the vicinity. Compare his use of the nymph Sebethis in the *Aeneid* vii. 734.

If one accepts the *apologia* of the Preface by which this volume is dated as of 1919, the fifth chapter on "Pompeii and Herculaneum" must perhaps "pass muster." It is none the less unfortunate that a volume dealing with Pompeii and appearing in 1923 has no adequate discussion of the new excavations at the eastern end of the *Strada dell'Abbondanza*, so important for the history of Roman religion, and not even an entirely adequate summary of such material as has appeared in the *Notizie degli Scavi* between 1915 and 1919. For Pompeii in particular the book is already obsolete at the time of its publication. The chapter on "Capua," which is worthy of all praise, has already been discussed.

Chapter viii on "Nola," the site of a highly developed cult of Augustus on his ancestral holdings, seems to afford corroborative evidence of the reviewer's thesis of the deliberate propagation of the imperial cult from the palace.

Mr. Peterson's volume takes immediate rank as an indispensable work for all students of Italic religions. It assembles and appraises a vast amount of evidence from disparate sources, usually with sound and conservative judgment. It brings into clear relief the importance of further detailed studies of the provinces of Magna Graecia. The value of the work would have been greatly enhanced had the funds of the American Academy permitted the publication of a small number of cuts of the many beautiful and interesting monuments which the ages have spared to us from the cults of Campania. Let us hope that the patrons of the American Academy may realize this need for future volumes of the series so happily inaugurated by this study.

GEORGE CONVERSE FISKE

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Galenī De sanitatē tuendā, De alimentorum facultatibus, De bonis malisque suis, De victu attenuante, De ptisana. Ediderunt KONRADUS KOCH, GEORGIUS HELMREICH, CAROLUS KALBFLEISCH, OTTO HARTLICH. Lipsiae et Berolini in aedibus B. G. Teubner, MCMXXIII. Pp. lxiii + 552. (Vol. V., fascicle 4, 2 of the *Corpus Medicorum Graecorum*.)

The treatises comprised in this volume are of unequal length and interest. *De bonis malisque suis* is an epitome of *De alimentorum facultatibus*, made,

like others, by Galen himself; *De ptisana* is, in the opinion of its editor Hartlich, not the work of Galen but of one of his pupils, though Kalbfleisch seeks to invalidate the objections to its genuineness based on the frequent admission of hiatus. It is my impression that Hartlich is right. Helmreich's *editio princeps* (1898) of *De victu attenuante* is here reproduced with improvements. The other treatises belong to the most important works of Galen.

The five Prefaces give a great deal of valuable information regarding the MSS and versions and an occasional glimpse of the fate of Greek medical works during the Middle Ages. The experience of the editors pointedly enforces the lesson that one may never accept without question a statement even in generally excellent catalogues.

The several texts, so far as a first impression may be trusted, have been prepared in a thoroughly satisfactory way, and maintain the high standard of the Corpus. This does not, of course, mean that the readings either can or will be accepted throughout, but that one now has a dependable basis for detailed study. A glance at the Prefaces shows the inroads of war and disease; besides, we learn that Wilamowitz has taken the place of the lamented Diels in supervising the Corpus for the Berlin Academy. Without instituting invidious comparisons it is clear that the change is not fortunate, because Diels was far more at home in this field than his successor.

The typography and proofreading are good. The errors in the text appear to be all noted in the "Corrigenda" (p. lxiii); but rather frequent misprints and false references in the indexes (pp. 467-522) still remain.

W. A. HEIDEL

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Der Geist der griechischen Wissenschaft. By MAX POHLENZ. Berlin: Weidmannsche Buchhandlung, 1923.

This is a lecture on Greek science, given by a classicist to an assembly of scientific men. It begins with the usual topic of its genre—the eclipse that Thales predicted, the astrological and empirical nature of Babylonian astronomy, the practical character of the Egyptian mensuration. Medicine follows with discussion of the Breasted surgical papyrus which "Kollege Sethe" tells me Breasted "overvalues"; the obligato quotation of the pragmatic passage on the sacred malady, a discussion of the dissection question and the study of the development of the chick in antiquity, Plato's relation to Hippocrates, etc. Brief paragraphs on mathematics and geography are followed by a fuller treatment of history which is hardly "science," but where the critic felt perhaps more at home. The pre-Socratics as usual receive more than their share of attention, and the lecture concludes with a few pages on Plato and the inevitable quotation of Aristotle on the delights of the study of even the most insignificant animals. The chief points on Plato are his

fixing of a high ideal of scientific knowledge, his encouragement of science in the Academy, and a protest against Howald's contention (*Die Platonische Akademie und die moderne Universitas litterarum*, Bern, 1921) that Plato is antiscientific and ought to be banished from our universities! Howard apparently was inspired by that wild western professor's commencement address, "On the Passing of Plato," which I have been denouncing for twenty years. But what is the use? Literal-minded readers will continue to judge Plato by Grote's summary of the *Timaeus* and to misunderstand *Republic* 530D τὰ δ' ἐν τῷ οὐρανῷ ἐάσομεν, till the end of time.

PAUL SHOREY

Platons Leben. VON ERNST HOWALD. Zürich: Verlag Seldwyla, 1923.

This little book is on a reduced scale what the *Platon* of Wilamowitz is writ large. It is a sentimental or *Stimmungs* biography of Plato. Dr. Howald himself thinks that it supersedes Wilamowitz as Wilamowitz went beyond Ritter and Raeder. They studied the development of Plato's abstract thought. Wilamowitz related his emotional evolution to his life and environment. Dr. Howald, being in touch with the newer science of psychoanalysis, proposes to deduce or at any rate interpret the phases of Plato's feeling from a central intuition of his essential psychology, falling back on the inferior method of critical philology only when this intuition fails him. But for the critic who relies on common sense and familiarity with the text rather than on pseudoscience the fundamental resemblance remains. Both are confidently dealing with what *must* have been the vicissitudes of emotion which determined or accompanied Plato's writings in connection with what is known or guessed of his life in relation to the life of his times. It would perhaps be naïve to test these artistic constructions by the detailed appeal to the Platonic texts which they evade. I doubt whether either Wilamowitz or Howald cares greatly for the critical truth about Plato's thought. They do not take it seriously. The metaphysics and the ethics they do not understand and the dialectics bore them. What they like are the things that Plato himself says are "for such not less agreeable to hear"—the religious unction, the eloquence, the satire, the myths, the mysticism, the enthusiasm. They like these things in themselves, and they enjoy them still more as themes for their own expansions about Plato's happiness and unhappiness, about Plato's and Sappho's relations with their pupils, about Greek love and the philosophic *eros*, about the high hopes which accompanied the composition of the *Republic* and the tragic defeat of those hopes at Syracuse.

There is another motive, conscious or unconscious, for this method. They wish to write an interesting book that can be read rapidly and felt as a whole. A critical exposition of Plato's thought can hardly be that

except for a very well-prepared reader. There is too much diversity of matter, too much refinement and precision of ideas to admit of the unimpeded flow of feeling and the unity of sentiment. But a boldly affirmative narration of what must have been Plato's emotions as a boy in the Athens of Aristophanes, under the Thirty or after the restoration of democracy, when he first came under the influence of Socrates, when he found himself helpless to avert his master's martyrdom, when he began to emancipate himself from the Socratic influence, when he traveled in Italy and Sicily and talked to the Pythagoreans, when he established the Academy, when he first appreciated the significance of mathematics, on the day or hour when he "discovered" the theory of ideas, when he wrote the *Republic* in the faith that philosophy could be wed to practical politics, when that faith failed him in Sicily, when he fell back on the study of nature and "discovered" Democritus, when he summed up his philosophy in the seventh *Epistle*, when he patiently worked out the detail of the *Laws*—such a biography of Plato's sentimental experience may have all the fascination and unity of a historical romance and makes little more demand on the reader's attention or critical faculties. Read rapidly, as it was written, with no regard to scruples and critical difficulties it seems to clothe the dry skeleton of history and philosophy with flesh and blood. And the critic who asks, "But is it true? What is your evidence?" will be impatiently dismissed as a pedant who sticks in the letter and cannot appreciate the soul of Plato.

Not to play that rôle farther I will limit myself to an intelligible account of the main features of Dr. Howald's interpretation. The psychoanalytic clue to the whole story is that Plato was an intensely pathetic or emotional nature inhibited by the dominating influence of Socrates who was a purely rationalistic ethical dialectician. As he approached the age of forty Plato finally emancipated himself from these inhibitions and in the intensities, the mysticism, the eloquence, the myths of the *Phaedrus*, *Symposium*, *Phaedo*, and *Republic* the pent-up emotion burst forth with an energy redoubled by its long suppression. This effervescence of Plato's deferred youth was suddenly checked and transformed into a premature old age by his Sicilian experiences and the consequent loss of a real political and social content for his thinking. This threw him back upon mere dialectic as in the *Sophist*, *Politicus*, and *Parmenides*, on a digression into science as in the *Timaeus*, or on the semi-popular compromise of his old age, the *Laws*.

This will give some notion of Dr. Howald's thesis, though of course the interest of his development of it and the ingenuity with which he fits it to the facts are lost in this *caput mortuum*.

He has also his theory of Socrates. Socrates was dominated by a humility complex and his dialectic was not an instrument of scientific discovery but a weapon of conflict to humiliate others by the enforced confession of that ignorance which he sincerely and in the very fanaticism of humility attributed to himself. The true, perhaps the only completely Socratic dialogues are the *Ion* and *Hippias*, in which Plato does not venture

beyond the short sentences of dialectic. Already in the *Laches*, the *Charmides*, and the *Lysis* Plato goes beyond pure Socraticism in longer speeches, bits of descriptive characterization, touches of eloquence and edification, and the introduction of *eros*, which belongs not to Socrates, but to Plato in his relation with his pupils. And so the emancipation from arid, unemotional dialectic proceeds till we reach the *Phaedo*, which does not express Socrates at all, but is pure Platonism.

This is the precise contrary of Professor Burnet's interpretation, but neither of them will pay any attention to the other's arguments—still less will either to mine. Howald accepts the philosophic digression in the seventh *Epistle* as an admirable self-justification and self-interpretation of Plato's philosophy. I believe it obviously spurious. No such drivel can be found in any of Plato's authentic works. Howald concludes his book with the affirmation that the vital element in every revival of Platonism always has been and is today the mystic, the emotional appeal. I am not insensitive to these things, but I enjoy them more in the Platonic text than in the paraphrases of Wilamowitz or even in my own, and if I were compelled to choose I would take as my guide to the interpretation of Plato and Platonism in preference to rhapsodies on the *eros* of teacher and pupil in the Academy the admonition of John Stuart Mill:

The title of Platonist belongs by far better right to those who . . . have endeavored to practise Plato's method of investigation than to those who are distinguished only by the adoption of certain dogmatic conclusions drawn mostly from the least intelligible of his works.

Or as Morley, the disciple of Mill, abbreviates it: "Assuredly not everyone who saith Plato, Plato is admitted to that ideal kingdom." Plato is doubtless a witty satirist, a great poet, and a guide to the life of the spirit, but none the less his chief service to the disciples of whom he speaks in the *Phaedrus*, "to fitting souls," is the clarification and discipline of their thought.

PAUL SHOREY

Zahl und Gestalt bei Platon und Aristoteles. By JULIUS STENZEL.
Leipzig and Berlin: B. G. Teubner, 1924.

This book is in the main a renewed attempt to discover in Plato's own writings some justification of the tradition about his later theory of ideas and numbers that may be collected from Aristotle's *Metaphysics* and the commentators on it. I would myself cut the ground from under such an inquiry by arguing first, as I have done in my *Unity of Plato's Thought* (pp. 82-85), that the few passages of Plato which have been sometimes interpreted in this sense have been misunderstood. If, for example, in *Philebus* 16d ἀριθμὸν refers simply and solely to the number of intermediate terms or classes between the most general idea and the lowest species or the particulars I cannot see what it has to do with any doctrine of ideas and numbers early or late. So if *Republic* 510b ff. says explicitly not that mathematical *ideas*

are intermediate between ideas and things, but only that the *methods* of the mathematical and other sciences are intermediate between that of the study of the concrete and the pure dialectic of ideas, I fail to see what support it lends to the doctrine. I have analyzed in the same way every Platonic passage that can plausibly be cited in illustration of the alleged later theory and until there is some attempt to meet these objections there is little more to be said on this score.

But it will be asked, How can we flatly reject the testimony of Aristotle and his commentators? There must be some fire where there is so much smoke. One among many answers to this is that we do not really know what Aristotle's testimony is. The *Metaphysics*, as it stands, is a hopeless muddle in which no ingenuity of conjecture can find a certain order of thought. It is in particular quite impossible to determine how much of Aristotle's polemic against ideal numbers and of his discussion of the supposedly intermediate mathematical number refers to Plato and how much only to the misunderstandings or developments of Platonism in the Academy. Conjectures based on such a text cannot countervail the immense presumption that arises from the fact that the entire body of Plato's later writings exhibits no hint of a later doctrine of ideas and numbers and is for the most part preoccupied with other topics. Plato is the clearest and most explicit of writers. If he had had any new doctrine of ideas to inculcate he would have made it plain beyond misunderstanding.

To these considerations I will add what I have often told my students but never printed before, that the supposed conjunction by Aristotle of the Pythagoreans and Plato in the identification of numbers and ideas is merely an example of his slovenly writing—an example of what I have elsewhere called "illogical idiom." Aristotle writes 987b 10: τὴν δὲ μέγεξιν τοῖννομα μόνον μετέβαλλεν. οἱ μὲν γὰρ Πυθαγόρειοι μιμήσει τὰ ὄντα φασὶν εἶναι τῶν ἀριθμῶν Πλάτων δὲ μεθέξει. But as the next sentence clearly implies all he means is that while the Pythagoreans say things exist by imitation (of numbers) Plato says that they exist by participation (in the ideas). Nothing is more common in careless writers than this type of confusion or illogicality in which the symmetry of the sentence produces an unintended specification and makes them seem to say more than they meant.

Holding this opinion I am perhaps not a suitable reviewer for this book. But who is? I doubt if there are ten men living who can read it critically or three who would take the pains to. It deals with corrupt, doubtful, and metaphysical texts which it combines and interprets with the utmost license of ingenious hypothesis. And it is written in the most obscure style of abstract German metaphysics. Can you make out what is meant by the statement that in the special Greek signification of Arete *das Eidos Platons und die Entelecheia des Aristoteles als Entwicklung der καλοκαγαθία vorgebildet ist*?

I might follow Professor Stenzel through his strained interpretation of passages from the *Philebus*, *Laws*, *Epinomis*, and *Timaeus*, and Aristotle's

Metaphysics and the commentators thereon. But no reader of this *Journal* would follow me. It is enough then to announce the book and say that apart from my fundamental repudiation of its presuppositions it seems to be a conscientious, scholarly piece of work and whether anybody is fully able to read and understand it or not it must find a place in every fully equipped library of Greek philosophy.

PAUL SHOREY

Herodotus. By T. R. GLOVER. Berkeley: The University of California Press, 1924.

Professor Glover had proved himself a master of popularization in the good sense in his *Conflict of Religions*, his *Life and Letters in the Fourth Century*, his *Virgil*, and his *From Pericles to Philip*. He is not less successful in conveying to his California students and the general public a sense of the God's plenty of the first and most delightful of historians. The book could not be and does not purport to be a philological investigation. Professor Glover relies mainly on his own reading, his own good sense and literary tact, the notes of How and Wells, the Loeb translation of Godley, and the *Persian Wars* of Mr. Grundy. It would be easy to enumerate many German dissertations and monographs which he does not cite, but it would be less easy to discover any appreciable errors or omissions from which they would have saved him. He touches sufficiently on all the controversial questions which have been raised about the date and composition of the several parts of the history, the credibility of Herodotus, and the extent of his travels. But "when all is said and his critics take a lot of time to say it," it is Herodotus, the caresser of life, the inimitable story-teller, the curious observer of that brave new world that hath such people in it that is or ought to be of more significance even to the philologist than the unverifiable guesses and combinations of writers more than two thousand years farther away from the facts than he. It is this Herodotus that Professor Glover presents in a flowing and readable account into which he contrives to interweave an astonishing proportion of the good stories and shrewd or naïve sayings of the original as well as parallels suggested by the experience of the past decade and by his own residence in Burma where he read Herodotus through and wrote a creditable sonnet upon him.

He is somewhat more courteous than Andrew Lang and other lovers of Herodotus to Professor Sayce who after Lucian denounced the Father of History as the Father of Lies. But his courtesy has an edge: "The history of the discrediting of Herodotus' critics is not the least diverting or the least instructive phase of the modern progress of knowledge." And again, "When Herodotus uses the plural in a generalization about a race, it is with some critics enough to discredit it. Professor Sayce, however, may generalize sweepingly without being called a liar."

PAUL SHOREY

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Col. IV

78. *al-me akšud (uđ)*
aš-lu-la šal-la-sun
ab-bul ak-kur

78. *I besieged, I conquered,*
I despoiled, I destroyed,
I devastated

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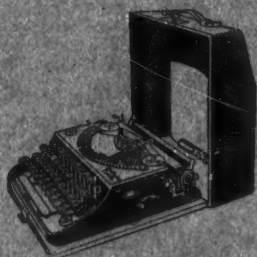
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